



# **CITY OF HAYWARD**

## **AGENDA REPORT**

AGENDA DATE 09/27/05

AGENDA ITEM 5

WORK SESSION ITEM \_\_\_\_\_

**TO:** Mayor and City Council

**FROM:** Director of Community and Economic Development

**SUBJECT:** Zone Change No. PL-2005-0062 and Tentative Tract Map 7608 – Kelly Estates LLC (Applicant/Owner) – Request to Change the Zoning from Single-Family Residential (RS) District to Planned Development (PD) District and Subdivide a 0.7 Acre Parcel to Construct 6 Homes - The Project Is Located at 2448 Kelly Street

### **RECOMMENDATION:**

It is recommended that the City Council adopt the attached resolution approving the Initial Study and Negative Declaration; the zone change and the precise development plan; and the Tentative Tract Map, subject to the attached conditions of approval, and introduce the attached ordinance.

### **DISCUSSION:**

The property contains 43,000 square feet with a 10-foot cross-slope and a 20-foot downward slope away from Kelly Street. The rear portion of the property is bisected by an Ora Loma Sanitary Sewer District sanitary sewer main within a 10-foot-wide easement. A single-family home and accessory structures would be deconstructed to accommodate the proposed development.

The developer proposes to subdivide the property to construct six single-family homes on lots ranging in size from 4,132 to 6,174 square feet. The homes will be served by a 24-foot-wide private street. There would be 30 parking spaces providing adequate parking for the project. The developer proposes to meander the street around three significant trees that would be saved.

The buildings would be of Spanish and Craftsman inspired designs with a semi-custom appearance. All homes would be two-story in height, but because of the property slopes, the front four units would have a one-story appearance from the street. The houses would range in size from 2,521 to 2,898 square feet accommodating 4 bedrooms and 2-3 bathrooms.

The zoning ordinance allows for Planned Development Districts where the affected lots have characteristics that make it difficult to develop as long as the project provides functional facilities or amenities not otherwise required or exceeding other development standards. The significant slopes and cross-slopes, the Ora Loma Sanitary Sewer easement, and the constraints of a long and narrow lot make this parcel difficult to develop. The project has exceeded development standards by providing decorative paving on all paved surfaces other than the private street travel way, preserving the most valuable trees on the site, and creating significant private open space.

At its meeting of July 28, 2005, the Planning Commission recommended (6:1) approval of the project. Several neighbors spoke at the meeting expressing concern about the project's impact on traffic, citing problems with speeding vehicles and auto accidents on Kelly Street. They also expressed concerns regarding adequate drainage.

City staff has reviewed the project and does not believe the proposed development would have a significant impact on the Kelly Street traffic. The most recent traffic volume study performed in 2003 indicated a volume of 6,800 trips per day in each direction. The street is designed to handle more than 10,000 trips per day each direction. During the five-year period from 2000 to 2004, eight collisions were reported to the Hayward Police Department or the California Highway Patrol. Neighbors suggest that additional traffic control devices might alleviate the occurrence of accidents. However, three of the eight accidents were rear-end collisions, which are more likely to occur after the installation of a traffic signal.

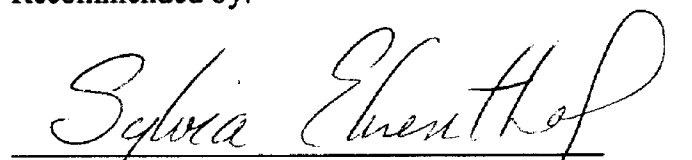
It is estimated that each home would generate ten vehicle trips per day. The project as a whole would contribute only five trips during each of the morning and evening peak hour times. All vehicle trips to and from this property would be at a single access point to Kelly Street. The low number of trips at this location would have an insignificant impact on the flow of traffic along Kelly Street. Planning Commissioners commented that the traffic problems in the area are regional in nature, that the solution is not the responsibility of this developer and that the impact of the project would be minimal. To properly facilitate drainage, the developer would extend a storm drain main up Kelly Street, as well as, utilize an existing system connecting to Olive Place. All site drainage would be collected on site and directed to these systems, which would improve the drainage situation for the area as a whole.

Prepared by:



Tim R. Koonze  
Assistant Planner

Recommended by:

  
Sylvia Ehrenthal  
Director of Community and Economic Development

Approved by:

  
Jesús Armas, City Manager

Attachments: Exhibit A. Planning Commission Staff Report and Draft Meeting Minutes,  
dated July 28, 2005  
Plans  
Draft Resolution and Ordinance



## CITY OF HAYWARD AGENDA REPORT

Meeting Date 07/28/05  
Agenda Item 4

**To:** Planning Commission

**From:** Tim R. Koonze, Assistant Planner  
Andrew S. Gaber, P.E., Development Review Engineer

**Subject:** **Zone Change No. PL-2005-0062 / Tentative Tract Map 7608 – Jamal Rabbani (Applicant/Owner)** – Request to Change the Zoning from a Single-Family Residential (RS) District to Planned Development (PD) District and Subdivide a .7 Acre Parcel Into 7 Parcels and Construct 6 Homes

The Project Is Located at 2448 Kelly Street in a Single-Family Residential Zoning District

### RECOMMENDATION:

That the Planning Commission recommend that the City Council:

1. Approve the Negative Declaration;
2. Approve the Zone Change and the preliminary development plan subject to the attached findings and conditions of approval; and
3. Approve Tentative Map 7608 subject to the attached findings and conditions of approval.

### DISCUSSION:

The property is within a Single-Family Residential (RS) zoning district which has a minimum lot size of 5,000 square-feet. The 38,000 square-foot property is narrow and deep, 113 feet wide by 338 feet deep, with a 10-foot cross-slope from east to west and a 20-foot downward slope away from Kelly Street to the north property line. The rear portion of the property is bisected by an Ora Loma Sanitary Sewer District sanitary sewer main within a 10-foot wide easement. The single-family home and accessory structures would be removed to accommodate the proposed development.

The property is located within an established single-family neighborhood with a mixture of both one-and two-story homes. To the west is a planned development subdivision approved in 1989. This subdivision created 18 two-story detached single-family homes on parcels ranging in size from 4,000 to 5,480 square feet.

The developer proposes to construct six single-family homes on lots ranging in size from 4,132 to 6,174 square feet. A seventh lot would be created to accommodate the 24-foot wide private street. The developer has meandered the street around three trees that are deemed to be worthy of saving per the arborist report prepared for this site.

The private street would be constructed of asphalt paving designed to public street standards. The street entrance from Kelly Street, private driveways, turnaround areas, and on-street parking areas would consist of decorative concrete. A decoratively paved four-foot-wide sidewalk adjacent to the private street would provide pedestrian access from the rear of the parcel to Kelly Street. The street would be posted for no parking on both sides to maintain adequate travel way and emergency vehicle access and include a fire truck turnaround per the recommendation of the Fire Department.

There are 30 onsite parking spaces proposed for the 6 homes. Two of the homes would have three car garages, the remainder would have two car garages. There would be two parking spaces on the driveway in front of the garages with the exception of Unit 6 which would have two parking spaces adjacent to the garage. There would be three on-street parking stalls and one additional parking stall located near the end of the street. All parking spaces would conform to the Off-Street Parking Regulations.

#### General Plan and Zone Change

The General Plan designation for this site is Low Density Residential 4.3-8.7 units per acre. The development at 6.9 units per acre would conform to this designation. The development meets various policies of the general plan by promoting infill development that is compatible with the overall charter of the surrounding neighborhood and encouraging visual integration of projects of differing types or densities through the use of building setbacks, landscape buffers or other design features. The project conforms to the housing element by encouraging the provision of an adequate supply of housing units in a variety of housing types which accommodate the diverse housing needs of those who live or wish to live in the city.

#### Building and Site Design

The varied slopes of the parcel, narrow lot width, and the need to create a private street to serve the parcels created an architectural challenge for the site, but, through creative layout and quality architectural design on each of the homes, the developer presents a well designed project. The custom designs allow for an aesthetically pleasing view both from Kelly Street and the internal private street.

The buildings are Spanish and Craftsman inspired designs with a unique appearance for each unit. All buildings would have two-story in height but because of the property slopes, the first four units would have a one-story appearance from the street. The houses would range in size from 2,521 to 2,898 square feet accommodating 4 bedrooms and 2-3 bathrooms. The detached single-family homes would be compatible with the surrounding houses.

Recognizing the privacy concerns of the adjacent residents, the architect has designed the homes abutting existing houses with a 20 foot setback and no living area windows facing adjacent houses. All units are designed to have minimum window area facing adjacent properties.

The Ora Loma Sanitary Sewer main that bisects the rear portion of the property creates a special concern. Without this impediment the parcel could be subdivided into the same number of parcels and meet the minimum 5,000 square-foot minimum lot size. In order to utilize the property to its fullest potential, the lot sizes must be reduced or the sanitary sewer main relocated. Relocating the sewer line to the rear of the property would cause the removal of a large oak tree which is not a desirable alternative.

The narrow lot width and the private street being created allow for lot depths ranging from 72 to 78 feet when typically 80 feet would be required. However, all lots have been designed with usable rear yards in excess of the 1,000 square feet achieved in a standard 50 foot by 100 foot parcel. In addition, each home has covered patios and decks providing additional usable areas.

The development design includes saving 5 trees but would require removing 28 trees. A majority of the trees to be removed are small fruit trees, acacia trees, pines trees in varying conditions of health, and two walnut trees. The largest walnut tree to be removed is a multi-trunk tree near the front of the property that is in poor condition due to rotting trunks. The smaller walnut tree is in better condition but is located in an area where it could not be saved. Replacement trees would be planted with a value equal to the value of the trees removed. The large oak tree at the rear of the property, the large maple at the property entrance, an acacia tree and two pine trees would be preserved.

#### Request for Planned Development

Topography, lot configuration and the Ora Loma sanitary sewer main impediment make this a difficult lot to develop. In order to develop the property to its fullest potential a number of modifications to the zoning ordinance requirements are requested, including reduced lot sizes, lot depth, and setbacks. Therefore the applicant is requesting to change the zoning of the property from Residential Single-Family (RS) District to Planned Development (PD) District. A planned development zoning would allow for additional housing units to be constructed to meet the goals and density specified by the General Plan.

The ordinance allows for this request on lots that have characteristics that make it difficult to develop as long as the project provides functional facilities or amenities not otherwise required or exceeding other development standards.

The project has exceeded development standards by providing decorative paving on all paved surfaces other than the private street travel way, the preservation of the most valuable trees on the site and creating usable open space in excess of the 1,000 square feet typically required, in addition to decks and covered patio areas.

### Tentative Tract Map

A tentative tract map is required to create the seven parcels, six to accommodate the single-family homes and one for the common area. The conditions of approval will require the developer to create a homeowners association and conditions, covenants and restrictions (CC&R's). The homeowners association will consist of the six single-family homeowners. If the tentative map is approved a final map would have to be approved and filed with the Alameda County Recorder.

The intersection of the new private street is at a 90 degree angle with Kelly Street. City transportation planner's records indicate that this location does not have an unusual history or pattern of collisions and have determined that the proposed intersection would be safe and the development would not have a significant impact to the traffic pattern on Kelly Street. According to an analysis by the City's transportation planners, the proposal will not cause a substantial increase in traffic for Kelly Street and no traffic study was required.

The storm drain from the project will be directed into two systems; one is a private storm drain line installed as a condition of approval of the adjacent subdivision to the west and the other is a system that directs the storm drainage to Kelly Street where a storm drain main must be extended 100 feet.

Sanitary sewer service will be provided by Ora Loma. The proposed homes will connect to the sanitary sewer main that bisects the rear of the property.

### Environmental Review

An initial study and negative declaration have been prepared in accordance with the California Environmental Quality Act (CEQA) and it has been determined that this project will not result in any significant impact to the environment.

### Public Hearing Notice

On February 22, 2005, a Notice of Preliminary meeting was mailed to every property owner and occupant within 300 feet of the property as noted on the latest assessor's records. The meeting was held on March 10, 2005 and was attended by nine nearby residents. They expressed concerns regarding adequate parking, safety of connecting the private street to Kelly Street, presence of an underground stream on the site, and the possible presence of septic tanks on site. Recognizing the neighborhood concerns, the developer redesigned the project and has had subsequent meetings with these neighbors and maintains that he has met most of their concerns.

A letter from the Fairview Community Club supported the project but recommended that the approved improvements included adequate site drainage and emergency vehicle access. Another letter from a Bayview Avenue resident who lives uphill from the project also supported the subdivision but wanted the trees removed that are growing near the Ora Loma sanitary sewer main and expressed concern about the proposed project having a traffic

impact at the intersection of Kelly Street and Bayview Avenue, suggesting that various improvements be made to the intersection. A letter signed by five residents living in the adjacent planned development project expressed concerns regarding the effects the proposed development would have on traffic on Kelly Street and the value of their homes. They recommended good house design, buffer from the proposed houses and adequate tree planting throughout the site. There was also concern that a PG&E easement exists on the site that could impact the site design (See Attached exhibits D, E and F).

Staff has also received phone calls from the property owners of the parcel that fronts on Kelly Street immediately to the west. They are not in support of the project and have expressed concerns regarding adequate onsite parking, the effect the additional units would have on Kelly Street traffic, and the effect the weight of the homes would have on the underground aquifer. The owner was concerned that the weight would compact the aquifer and water would seep up into his property as water is already seeping onto his property.

The development would provide 30 parking spaces, the number achieved in a typical single-family development. The City's Transportation Planner concluded that the number of trips generated from this project would have a minimal impact on Kelly Street and that this project would not significantly interfere with the flow of traffic on Kelly Street. The project has been designed with an emergency vehicle turnaround and the private street will be posted for no parking to ensure adequate emergency access.

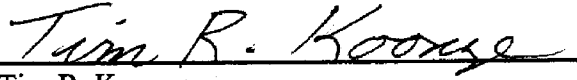
A Geotechnical investigation was prepared for the site and did not reveal the presence of an underground stream nor of a septic tank system. The City engineering staff determined that the weight of the homes would not affect the groundwater. If a septic tank system is discovered during construction it would be removed in accordance with the appropriate regulations. Staff has reviewed the title report and it revealed no PG&E easement on the site.

A detailed drainage plan has been designed, which includes the extension of a storm drain main in Kelly Street, to ensure proper drainage of the site. Any trees near Ora Loma's sewer main would be removed as part of this application.

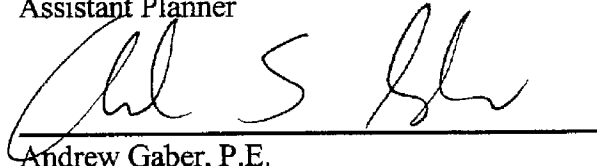
### Conclusion

The developer has presented a well designed project that exceeds standard design by presenting creatively enhanced building designs that utilize varied architecture incorporating interesting details and a site design that provides enlarged usable areas exceeding those achieved in a standard lot configuration.

Prepared by:

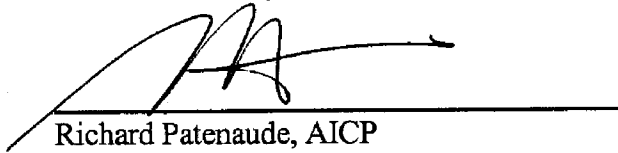


Tim R. Koonze  
Assistant Planner



Andrew Gaber, P.E.  
Development Review Engineer

Recommended by:



Richard Patenaude, AICP  
Principal Planner

Attachments:

- A. Area Map
  - B. Negative Declaration and Initial Study
  - C. Zone Change Findings for Approval
  - D. Zone Change Conditions of Approval
  - E. Tentative Map Findings for Approval
  - F. Tentative Map Conditions of Approval
  - G. Letter from Fairview Community Club Inc., dated March 9, 2005
  - H. Letter from Olive Place Residents, dated March 9, 2005
  - I. Letter from James D. and Helene M. Perrizo, dated July 10, 2005
- Zone Change Plans  
Tentative Map 7608





**AREA MAP**  
**Zone Change No. PL-2004-0473 / Tract 7608**  
**Jamal Rabbani (Applicant/Owner)**



## **CITY OF HAYWARD NEGATIVE DECLARATION**

Notice is hereby given that the City of Hayward finds that could not have a significant effect on the environment as prescribed by the California Environmental Quality Act of 1970, as amended will occur for the following proposed project:

### ***I. PROJECT DESCRIPTION:***

**Zone Change No. PL-2004-0473 and Tentative Tract Map 7608** – Request to Change the Zoning from a Single-Family Residential (RS) District to a Planned Development (PD) District and Subdivide a .7 acre parcel and build 6 Homes. – Jamal Rabbani (Applicant/Owner). The project location Is 2448 Kelly Street, in Hayward, California.

### ***II. FINDING PROJECT WILL NOT SIGNIFICANTLY AFFECT ENVIRONMENT:***

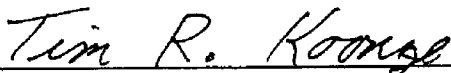
The proposed project could not have a significant effect on the environment.

#### ***FINDINGS SUPPORTING DECLARATION:***

1. The proposed project has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Initial Study Environmental Evaluation Checklist has been prepared for the proposed project. The Initial Study has determined that the proposed project could not result in significant effects on the environment.
2. The project will not adversely affect any scenic resources. The proposed development takes advantage of the natural slope of the property and the new homes will not affect the scenic views of the surrounding homes. The project saves the significant trees on the site and the conditions of approval require the planting of trees as part of the development requirements. Landscape plans will be required to ensure the preservation of the significant trees on-site
3. The project will not have an adverse effect on agricultural land since the property is surrounded by residential uses and it is too small to be used for agriculture.
4. The project will not result in significant impacts related to changes into air quality. When the property is developed the City will require the developer to submit a construction Best Management Practice (BMP) program prior to the issuance of any grading or building permit. This program will include sprinkling the site with water as needed to keep dust to a minimum.

5. The project will not result in significant impacts to biological resources such as wildlife and wetlands. The site contains no wetlands and there is no evidence that it supports any significant wildlife.
6. The project will not result in significant impacts to known cultural resources including historical resources, archaeological resources, paleontological resources, unique topography or disturb human remains.
7. The project site is not located within a "State of California Earthquake Fault Zone", however, construction will be required to comply with the Uniform Building Code standards to minimize seismic risk due to ground shaking. Furthermore, a soils investigation report will be required to ensure that building foundations are adequately designed for the soil type on-site.
8. The project will not lead to the exposure of people to hazardous materials.
9. The project will meet all water quality standards. Drainage improvements will be made to accommodate storm water runoff.
10. The project is consistent with the policies of the City General Policies Plan, and the City of Hayward Design Guidelines.
11. The project could not result in a significant impact to mineral resources because extraction of mineral resources would be infeasible due to the property being surrounded by urban uses.
12. The project will not have a significant noise impact. Any noise impacts will be limited to the construction of the project, which will be limited to the hours of 7 a.m. to 7 p.m.
13. The project will not result in a significant impact to public services.
14. The six proposed homes will not result in a significant impact to the traffic on Kelly Street nor will it result in changes to traffic patterns or emergency vehicle access.

I. **PERSON WHO PREPARED INITIAL STUDY:**



Tim R. Koonze, Assistant Planner

Dated: June 1, 2005

## II. ***COPY OF INITIAL STUDY IS ATTACHED***

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For additional information, please contact the City of Hayward, Planning Division, 777 B Street, Hayward, CA 94541-5007, telephone (510) 583-4207, or e-mail [tim.koonze@hayard-ca.gov](mailto:tim.koonze@hayard-ca.gov) .

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### **DISTRIBUTION/POSTING**

- Provide copies to all organizations and individuals requesting it in writing.
- Reference in all public hearing notices to be distributed 20 days in advance of initial public hearing and/or published once in Daily Review 20 days prior to hearing.
- Project file.
- Post immediately upon receipt at the City Clerk's Office, the Main City Hall bulletin board, and in all City library branches, and do not remove until the date after the public hearing.



**DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT**  
**Development Review Services Division**

**INITIAL STUDY CHECKLIST FORM**

**Project title:** Zone Change PL-2004-0473 and Tentative Tract Map 7608

**Lead agency name and address:** City of Hayward, 777 "B" Street, Hayward, CA 94541-5007

**Contact persons and phone numbers:** Tim R. Koonze, Assistant Planner (510) 583-4207

**Project location:** The property is located at 2448 Kelly Street, in Hayward, California.

**Project sponsor's name and address:**  
Jamal Rabbani  
702 Brown Road, Suite 101  
Fremont, CA 94539

**General Plan:** Low Density Residential (LDR)

**Zoning:** Single-Family Residential (RS)

**Description of project:** Request to Change the Zoning from an Single-Family Residential (RS) District to a Planned Development (PD) District and Subdivide a .7 acre parcel and build 6 homes.

**Surrounding land uses and setting:** Surrounded on all sides by detached single-family homes.

**Other public agencies whose approval is required:** None.

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**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                    | <input type="checkbox"/> Agriculture Resources              | <input type="checkbox"/> Air Quality            |
| <input type="checkbox"/> Biological Resources          | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology / Soils        |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality          | <input type="checkbox"/> Land Use / Planning    |
| <input type="checkbox"/> Mineral Resources             | <input type="checkbox"/> Noise                              | <input type="checkbox"/> Population / Housing   |
| <input type="checkbox"/> Public Services               | <input type="checkbox"/> Recreation                         | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems   | <input type="checkbox"/> Mandatory Findings of Significance |   |

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Tim R. Koonze  
Signature

Tim R. Koonze, Assistant Planner

June 1, 2005  
Date

City of Hayward

**ENVIRONMENTAL ISSUES:**

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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# I. AESTHETICS -- Would the project:

- a) Have a substantial adverse effect on a scenic vista?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The project will not affect any scenic vista.

- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The project will not damage scenic resources. The trees being removed are not considered to be a scenic resource. The proposed homes will not affect of the views from the adjacent properties.

- c) Substantially degrade the existing visual character or quality of the site and its surroundings?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The project will not substantially degrade the visual character of the site as it is already developed with a single-family structure and ancillary building. The proposed development would be consistent with the surrounding single-family homes.

- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The project will not produce any more light than what is produced by a typical single-family development.

## II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The project site is not mapped as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The project is currently zoned for single-family residential development and is not subject to a Williamson Act contract.

- c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The project is surrounding by single-family homes and would not have any impact on agricultural lands.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- a) Conflict with or obstruct implementation of the applicable air quality plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The project will not conflict with the Bay Area 2000 Clean Air Plan or the City of Hayward General Plan policies relating to Air Quality.

- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Comments:** The Bay Area air basin currently exceeds both federal and state standards for ozone and state standards for particulate matter <10 microns in diameter (PM10). The project is of a relatively small scale and is not expected to generate enough vehicle trips to make a significant contribution to the existing air quality violation.

In order to reduce intermittent air pollutants during the construction phase, the developer shall ensure that unpaved construction areas are sprinkled with water as necessary to reduce dust generation, construction equipment is maintained and operated in such a way as to minimize exhaust emissions, and if construction activity is postponed, graded or vacant land is immediately revegetated.

- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The number of homes proposed is within the range specified in the City Of Hayward General Plan. The pollution generated by the new vehicle trips was determined in the EIR for the General Plan to be a less than significant impact.

- d) Expose sensitive receptors to substantial pollutant concentrations?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The project will not expose sensitive receptors to substantial pollutant concentrations.

- e) Create objectionable odors affecting a substantial number of people?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The project will not create objectionable odors affecting a substantial number of people.



Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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#### IV. BIOLOGICAL RESOURCES -- Would the project:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The property is a relatively small parcel surrounded by urban development and does not provide a habitat for any species of concern.

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The site contains no riparian or sensitive habitat.

- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The site contains no wetlands.

- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The site does not contain habitat used by migratory fish or wildlife nor is it a migratory wildlife corridor.

- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Comment:** The project is in conformance with the General Policies Plan and would conform to the requirements of the Tree Preservation Ordinance. There are 27 trees proposed being removed and 7 trees would be saved. The trees being removed from this site are primarily smaller fruit trees and pine trees. Replacement trees will be planted to equal the value of the trees removed to the extent possible.

- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** There are no habitat conservation plans affecting the property.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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# V. CULTURAL RESOURCES -- Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** No known historical resources exist on-site.

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** This site has been previously disturbed and no known archaeological resources were found.

- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** No known paleontological resources exist on-site.

- d) Disturb any human remains, including those interred outside of formal cemeteries?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comments:** This site has been previously disturbed and no known archaeological resources were found.

# VI. GEOLOGY AND SOILS -- Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The project is not located within the Hayward Fault Zone.

- ii) Strong seismic ground shaking?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Comment:** The site is not located within a "State of California Earthquake Fault Zone". The project will be required to comply with the Uniform Building Code Standards to minimize seismic risk due to ground shaking.

**Impacts:** Ground shaking can be expected at the site during a moderate to severe earthquake, which is common to virtually all development in the general region. The homes would be required to be constructed to the seismic codes in effect at the time of construction. This impact is considered less than significant.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
iii) Seismic-related ground failure, including liquefaction? <i><b>Comment:</b> CAPEX Engineering Company prepared the report "Geotechnical Investigation Proposed Development of Seven Lots at 2448 Kelly Street, Hayward Ca for Mr. Jamal Rabbani" dated September 30, 2004. The report revealed that liquefaction is not considered to be likely on this site.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides? <i><b>Comment:</b> The geotechnical investigation concluded that the proposed development on this site is feasible as long as the development conforms to the design recommendations identified in the report. Conditions of approval would require all improvements to conform to the recommendations of geotechnical investigation for this site.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? <i><b>Comment:</b> The Engineering Division will ensure that proper erosion control measures are implemented during construction.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? <i><b>Comment:</b> See comment VI (a)(iv).</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? <i><b>Comment:</b> See comment VI (a)(iv).</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? <i><b>Comment:</b> The homes on this site would be connected to the Ora Loma Sanitary Sewer District sewer system.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**VII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:**

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
- Comment:** There is no evidence of hazardous materials at the site nor will hazardous materials be used or transported at or near the site.*

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? <i><u>Comment:</u> See VII a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? <i><u>Comment:</u> See VII a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? <i><u>Comment:</u> See VII a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? <i><u>Comment:</u> The project is not located within an airport zone.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? <i><u>Comment:</u> See VII e.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? <i><u>Comment:</u> The project will not interfere with any known emergency response plan or emergency evacuation plan. The Hayward Fire Department serves the area. Emergency response times will be maintained.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? <i><u>Comment:</u> The project is not located in an area of wildlands and is not adjacent to wildlands.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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# VIII. HYDROLOGY AND WATER QUALITY -- Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i><b>Comment:</b> The project will meet all water quality standards. Drainage improvements will be made to accommodate runoff.</i>   |                          |                          |                          |                                     |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i><b>Comment:</b> The site will be served with water by the City of Hayward. Therefore, water quality standards will not be violated and groundwater supplies will not be depleted. Recharge of the groundwater table will be decreased as the proposal involves increasing the percentage of the site covered with impervious surfaces. This impact is deemed insignificant as there are no known wells nearby that would see a drop in production.</i> |                          |                          |                          |                                     |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i><b>Comment:</b> The project is not located near a stream or a river. Development of the site will not result in substantial erosion or siltation on-or off-site.</i>   |                          |                          |                          |                                     |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i><b>Comment:</b> The project is within an urban area and runoff will leave the site via the City's storm drain system. Drainage patterns on the site will not cause flooding.</i>   |                          |                          |                          |                                     |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i><b>Comment:</b> The amount of run-off from the project will not exceed the capacity of the stormwater drainage system. See VIII a.</i>   |                          |                          |                          |                                     |
| f) Otherwise substantially degrade water quality?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i><b>Comment:</b> See VIII a.</i>  |                          |                          |                          |                                     |

- |  | Potentially<br>Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigation<br>Incorporation | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|--|--------------------------------------|---|------------------------------------|-------------------------------------|
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?<br><b>Comment:</b> According to FEMA Flood Insurance Rate Maps (panel # 065033-0004C dated 2/9/00), this site is not within the 100-year flood hazard area. | <input type="checkbox"/>             | <input type="checkbox"/>  | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?<br><b>Comment:</b> See VIII g.   | <input type="checkbox"/>             | <input type="checkbox"/>  | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?<br><b>Comment:</b> The site is not within the 100-year flood zone, is not near any levees and is not located downstream of a dam.                             | <input type="checkbox"/>             | <input type="checkbox"/>  | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow?<br><b>Comment:</b> The project is not in a location that would allow these phenomena to affect the site.   | <input type="checkbox"/>             | <input type="checkbox"/>  | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

**IX. LAND USE AND PLANNING - Would the project:**

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Physically divide an established community?<br><b>Comment:</b> The project would not divide an established community in that it continues the housing pattern established in this urban residential setting.  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?<br><br><b>Comment:</b> The area is designated on the General Policies Plan Map as Low Density Residential (LDR). The LDR designation allows between 4.3 – 8.7 units per acre. The proposal is for 6.9 units per acre. The current zoning designation is Single-Family Residential (RS). The applicant has requested to change the zoning to a Planned Development (PD) district to allow the residential subdivision. The density conforms to the underlying zoning designation. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan?<br><b>Comment:</b> See IV f.   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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**X. MINERAL RESOURCES – Would the project:**

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The project will not result in a significant impact to mineral resources since the subject site is located in an urbanized area that does not contain mineral resources that could be feasibly removed.

- b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** See X a.

**XI. NOISE - Would the project result in:**

- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Comment:** Exposure of persons to or generation of any new noise or noise levels in excess of standards established in the Noise Element of the Hayward General Plan or the Municipal Code, or applicable standards of other agencies if any, will be temporary in nature during the construction of the homes and associated improvements. All City noise standards are required to be met and maintained upon completion of construction. Grading and construction will be limited to the hours between 7:00 a.m. and 7:00 p.m. Monday through Friday. No work will be done on Sundays or national holidays.

- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** See XI a.

- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** See XI a

- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** See XI a

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

**Comment:** See VII e.

- |  | Potentially<br>Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigation<br>Incorporation | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|--|--------------------------------------|---|------------------------------------|-------------------------------------|
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/>             | <input type="checkbox"/>  | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

**Comment:** See VII e.

## XII. POPULATION AND HOUSING -- Would the project:

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Comment:** The development proposes to construct six new homes within an established residential neighborhood. The associated infrastructure to be constructed would not facilitate any further development.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Comment:** Only one house will be removed.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Comment:** See XII b.

## XIII. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- |                     |                          |                          |                          |                                     |
|---------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Comment:** The proposed project would have no effect upon, or result in only a minimal need for new or altered government services in fire and police protection, schools, maintenance of public facilities, including roads, and in other government services.

- |                       |                          |                          |                          |                                     |
|-----------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-----------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Comment:** See XIII a.

- |             |                          |                          |                          |                                     |
|-------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Comment:** See XIII a.

- |           |                          |                          |                          |                                     |
|-----------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|-----------|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Comment:** See XIII a.



- |   | Potentially<br>Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigation<br>Incorporation | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|---|--------------------------------------|---|------------------------------------|-------------------------------------|
| e) Other public facilities?   | <input type="checkbox"/>             | <input type="checkbox"/>  | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| <i><b>Comment:</b> The six new homes will connect to a sanitary sewer line that runs through the property. The sewer is of adequate size and capacity to serve the proposed development. A permit must be obtained from Ora Loma Sanitary Sewer District prior to connection to the sewer line.</i> |                                      |   |                                    |                                     |

#### XIV. RECREATION --

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| <i><b>Comment:</b> The project will add to the number of people using area parks; however the increase will not be significant enough to cause deterioration of the facilities.</i>                            |                          |                          |                                     |                                     |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| <i><b>Comment:</b> The proposal includes the construction of group open spaces, however it will not cause an adverse physical effect on the environment.</i>   |                          |                          |                                     |                                     |

#### XV. TRANSPORTATION/TRAFFIC -- Would the project:

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| <i><b>Comment:</b> According to an analysis by the City's transportation planners, the proposal will not cause a substantial increase in traffic for Kelly Street and no traffic study was required.</i>   |                          |                          |                                     |                                     |
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| <i><b>Comment:</b> See XV a.</i>   |                          |                          |                                     |                                     |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| <i><b>Comment:</b> The project will not affect air traffic patterns.</i>   |                          |                          |                                     |                                     |

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?  <i><b>Comment:</b> The design of the intersection of the new private street at a 90 degree angle with Kelly Street. City transportation planner's records indicate that this location does not have an unusual history or patten of collisions and have determined that the proposed intersection would be safe and the development would not have a significant impact to the traffic pattern on Kelly Street.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?  <i><b>Comment:</b> The Hayward Fire Department has reviewed the project and finds the project acceptable to Hayward Fire Department requirements and standards.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?  <i><b>Comment:</b> The City's Off-Street Parking regulations do not specifically address single-family development where street parking is limited. Two homes have three-car garages and the others have 2-car garages. There are a total of 29 parking spaces or 4.8 spaces per unit throughout the project.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?  <i><b>Comment:</b> The project does not conflict with adopted policies supporting alternative transportation.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### XVI. UTILITIES AND SERVICE SYSTEMS - Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?  <i><b>Comment:</b> The project will not exceed wastewater treatment requirements.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?  <i><b>Comment:</b> Ora Loma Sanitary Sewer District's wastewater treatment facilities are capable of handling the wastewater to be generated by the project. They must issue a permit prior to connection to their facilities</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?  <i><b>Comment:</b> The project will require the construction of new facilities for storm water; however, this will not cause any significant environmental effects.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?  <i><b>Comment:</b> The City of Hayward supplies water to the site and has sufficient water to serve the project.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?  <i><b>Comment:</b> See XVI b.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?  <i><b>Comment:</b> Waste Management of Alameda County will dispose the solid waste. The Altamont landfill is available to the City of Hayward until 2009 and has sufficient capacity to handle the amount of solid waste generated by the project. The landfill recently received an approval that increases the capacity and adds 25 years to the life of the landfill to the year 2034.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?  <i><b>Comment:</b> The project study area participates in the Waste Management of Alameda County recycling program. Construction and operation of the project will comply with all federal, state and local statutes and regulations related to solid waste.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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# **XVII. MANDATORY FINDINGS OF SIGNIFICANCE --**

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**CITY OF HAYWARD  
PLANNING DIVISION**

July 28, 2005

**Zone Change No. PL-2004-0473 / Tentative Tract Map 7608 – Jamal Rabbani (Applicant/Owner)** – Request to change the zoning from a Single-Family Residential (RS) District to Planned Development (PD) District and subdivide a .7 Acre parcel into 7 parcels and construct 6 homes. The Project Is Located at 2448 Kelly Street

**FINDINGS FOR APPROVAL**

***Findings for Approval –Preliminary Development Plan:***

- A. Approval of Zone Change Application No. 2004-0473, as conditioned will not cause a significant impact on the environment as documented in the Initial Study. A Negative Declaration was prepared in accordance with the California Environmental Quality Act (CEQA) guidelines.
- B. The development is in substantial harmony with the surrounding area and conforms to the General Plan and applicable City policies in that it is a single-family development within a single-family neighborhood and adjacent to another small lot subdivision. The proposed density meets the General Plan goals and meets applicable City policies by providing ownership housing.
- C. The streets, utilities, existing and proposed, are adequate to serve the development.
- D. The development creates a residential environment of sustained desirability in that the units are well designed and the parcels have over 1,000-square-feet of usable open land providing adequate recreation space.
- E. Any latitude or exceptions to development regulations or policies is adequately offset or compensated for by providing functional facilities or amenities not otherwise required or exceeding other required development standard. The exceptions requested for a reduced lot size, and reduced setbacks is offset with enhanced architectural and site design, decorative paving on all paved surfaces other than the private street travel way, the preservation of most valuable trees on the site and creating more than the 1,000 square feet of usable open space.

***Findings for Approval – Zone Change:***

- F. Substantial proof exists that the proposed change will promote the public health, safety, convenience, and general welfare of the residents of Hayward in that the Planned Development District will allow a project providing ownership housing which is supported by the Housing Element of the General Plan.
- G. The proposed change is in conformance with the purposes of this Ordinance and all applicable, officially adopted policies and plans in that the zoning change is consistent with the General Plan designation.
- H. All uses permitted when the property is reclassified will be compatible with present and potential future uses with the beneficial effect of creating ownership housing.

**CITY OF HAYWARD  
PLANNING DIVISION**

**CONDITIONS OF APPROVAL**

**Zone Change No. PL-2004-0473 – Jamal Rabbani (Applicant/Owner) – Request to Change the Zoning from a Single-Family Residential (RS) District to Planned Development (PD) District and Subdivide a .7 Acre Parcel Into 7 Parcels and Construct 6 Homes**

The Project Is Located at 2448 Kelly Street in a Single-Family Residential (RS) District.

**CONDITIONS OF APPROVAL:**

1. Zone Change No. PL-2004-0473 is approved subject to the plans labeled Exhibit "A" and the conditions listed below. This permit becomes void two years after the effective date of approval, unless prior to that time a building permit application has been submitted and accepted for processing by the Building Official, or a time extension of this application is approved. A request for a one-year extension, approval of which is not guaranteed, must be submitted to the Planning Division at least 15 days prior to the above date.
2. This approval is void one year after the effective date of approval unless the Precise Development Plan has been submitted for review and processing in accordance with all conditions of the Preliminary Development Plan. If the Precise Development Plan is not submitted within the time period provided, a maximum of two, 1-year extensions may be approved by the City Council. A request for an extension of time must be submitted to the Planning Division at least 30 days prior to the expiration date.
3. The approval of this development is subject to the approval of Tentative Map No. 7608 and the associated conditions of approval. No building permit shall be issued for any structure within this application until the City Council has approved the final map and said map is recorded.
4. If a building permit is issued for construction of improvements authorized by the zone change approval, the zone change approval shall be void two years after issuance of the building permit, or three years after approval of the application, whichever is later, unless the construction authorized by the building permit has been substantially completed or substantial sums have been expended in reliance upon the site plan review approval.
5. The permittee shall assume the defense of and shall pay on behalf of and hold harmless the City, its officers, employees, volunteers and agents from and against any or all loss, liability, expense, claim costs, suits and damages of every kind, nature and description directly or indirectly arising from the performance and action of this permit.

6. Any proposal for alterations to the proposed site plan and/or design, which does not require a variance to any zoning code, must be approved by the Planning Director prior to implementation.
7. The precise plan submittal shall include the following:
  - a. A copy of these conditions of approval shall be included on a full-sized sheet(s) in the plan set.
  - b. Provide a detail of the 6-foot-high solid board fence that shall be constructed throughout the project including the property perimeter. The design shall be approved by the Planning Director.
  - c. Provide details of a 20-foot wide decorative paving area at the private street entrance with Kelly Street and for all parking and driveway areas.
  - d. Trees shall be preserved in accordance with the Tree Preserve Ordinance. Prior to commencement of clearing and grading operations, all trees to be preserved or removed shall be indicated on the grading, site and landscape plans, and trees to remain in place shall be noted and provided with tree protection measures in compliance with City codes.
  - e. Provide a preservation plan to preserve the trees to be preserved. The plans shall include preservation methods during and after construction. The plans shall be approved the City's Landscape Architect.
  - f. Provide a detailed landscaping and irrigation plan prepared by a licensed landscape architect for the common landscape areas and the front yards. The front yards shall be limited to a maximum 50 percent Fescue turf. Landscaping shall comply with the City's Water Efficient Landscape Ordinance. The plans shall be approved by the City's Landscape Architect.
  - g. Plans showing that where landscape areas adjoin driveways or parking areas, Class B Portland Cement concrete curbs are to be constructed to a height of 6 inches above the adjacent finished pavement.
  - h. The Kelly Street frontage shall be improved with a street light and a sidewalk across the property frontage. The design and location shall be approved by the City Engineer.
  - i. Decorative street lights shall be installed along the proposed private street. The number of light standards, location and design shall be approved by the City Engineer and the Planning Director.
  - j. Details for exterior illumination for the homes. Lighting fixtures shall be of a decorative design that compliments the architectural style of the buildings.



- k. Samples of exterior colors and building materials.
  - l. Details of screening all above-ground utilities meters.
  - m. Location of transformers which shall not be visible from the street.
  - n. Location of meters and screening devices.
  - o. Location of trash and recycling containers.
8. The building permit submittal shall include the following:
- a. A copy of these conditions of approval shall be included on a full-sized sheet(s) in the plan set.
  - b. Provide a detail of the 6-foot-high solid board fence that shall be constructed throughout the project including the property perimeter. The design shall be approved by the Planning Director.
  - c. Provide details of a 20-foot wide decorative paving area at the private street entrance with Kelly Street and for all parking and driveway areas.
  - d. Trees shall be preserved in accordance with the Tree Preserve Ordinance. Prior to commencement of clearing and grading operations, all trees to be preserved or removed shall be indicated on the grading, site and landscape plans, and trees to remain in place shall be noted and provided with tree protection measures in compliance with City codes.
  - e. A tree removal permit is required prior to the removal of any trees. The developer will be required to comply with the City's Tree Preservation Ordinance in terms of providing replacement trees of like value, as determined by the City Landscape Architect.
  - f. Provide a preservation plan to preserve the trees to be preserved. The plans shall include preservation methods during and after construction. The plans shall be approved the City's Landscape Architect.
  - g. Prior to approval of improvements plans or issuance of the first building permit, detailed landscaping and irrigation plan prepared by a licensed landscape architect for the common landscape areas and the front yards. The front yards shall be limited to a maximum 50 percent Fescue turf. Landscaping shall comply with the City's Water Efficient Landscape Ordinance. The plans shall be approved by the City's Landscape Architect.
9. Provide one 24-inch box street tree for each lot which is 50 feet wide or less. Lots greater than 50 feet shall have two street trees. On a corner lot, there should also be one 24-inch box tree 400 feet or fraction thereof along the side yard. The trees should be 20-feet from the corner, 10 feet from a light pole, and 5 feet from any

utility. There should never be a case where a lot does not have at least one street tree. Trees shall be planted per City standard detail SD-122.

10. Landscaped areas adjoining drives or parking areas shall be separated by a 6-inch high class B Portland Cement Concrete curb.
11. All common area landscaping, irrigation and other required improvements shall be installed prior to acceptance of tract improvements, or occupancy of 80 percent of the dwellings, whichever occurs first. All individual landscaping shall be installed prior to occupancy of each unit and prior to final acceptance of tract improvements.
12. A Certificate of Substantial Completion and an irrigation Schedule shall be submitted prior to issuance of a Certificate of Occupancy for each unit.
13. Prior to the sale of any unit, or prior to the acceptance of site improvements, whichever first occurs, a homeowners' association shall be created to maintain the private street, parking bays, private storm drain, common area landscaping and common fencing as depicted on the approved Tentative Map Tract 7608 and CC&Rs prepared for the project which shall be reviewed and approved by the Planning Director that shall include the following conditions:
  - a. Each owner shall automatically become a member of the association and shall be subject to a proportionate share of maintenance expenses.
  - b. A reserve fund shall be maintained to cover the costs for the replacement and/or repair of the private street, parking bays, private storm drain, common area landscaping and common fencing.
  - c. The association shall be managed and maintained by a professional property management company.
  - d. The private street, parking bays, private storm drain, common area landscaping, and common fencing shall be maintained in good repair, and free of debris at all times.
  - e. All common improvements shall be maintained free of graffiti. The owner's representative shall inspect the premises on a weekly basis and any graffiti shall be removed within 72 hours of inspection or within 72 hours of notification by the City's Community Preservation Officer.
  - f. The homeowners' association shall maintain the common area irrigation system and maintain the common area landscaping in a healthy, weed-free condition at all times. The homeowner's representative shall inspect the landscaping on a monthly basis and any dead or dying plants (plants that exhibit over 30 percent dieback) shall be replaced within 15 days of notification to the homeowner. Plants within the common area shall be replaced within two weeks of the inspection.
  - g. Landscaping and irrigation shall be maintained in all common areas or the City shall have the right to enter upon the property to maintain the exterior portions

of the common area at the expense of the homeowners association per Section 10-3.385 of the Subdivision Ordinance.

- h. A tree removal permit is required prior to the removal of any tree with a diameter of 8-inches or larger.
  - i. Trees shall not be severely pruned, topped, or pollarded and any trees that are pruned in this manner shall be replaced with a tree species selected by, and size determined by the Landscape Architect, within the timeframe established by the City and pursuant to the Municipal code.
  - j. A provision that if the homeowners' association fails to maintain the private street and parking bays, private storm drain, common area landscaping, and common fencing so that owners, their families, tenants, guests or adjacent owners suffer or will suffer substantial diminution in the enjoyment, use or property value of the project, the City of Hayward shall have the right to enter upon the project and to commence and complete such work as is necessary to maintain the private street, parking bays, and common landscape areas, after reasonable notice, and lien the properties for their proportionate share of the costs.
  - k. Each resident shall participate in the City's recycling program.
  - l. The applicant or homeowners association shall maintain in good repair the private street, parking bays, common area landscaping and fencing, lighting, drainage facilities, etc. These maintenance responsibilities shall including implementing and maintaining BMP's associated with improvements and landscaping. CC&R's creating the association shall be reviewed and approved by the City Attorney prior to recordation of the final map and recorded prior to the sale of the first residential unit. The CC&R's shall describe how the storm water BMP's associated with privately owned improvements and landscaping shall be maintained by the association.
- 14. Construction hours shall be limited to 7:00 a.m. to 6:00 p.m. Monday through Saturday. No construction work will be allowed on Sundays or holidays.
  - 15. Utility meters, when not enclosed in a cabinet, shall be screened by either plant materials or decorative screen, allowing sufficient access for reading.
  - 16. Any transformer shall be located underground or screened from view by landscaping and shall be located outside any front or side street yard.
  - 17. Prior to final inspection all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the Planning Director.
  - 18. Violation of these conditions or requirements may result in the City of Hayward instituting a revocation hearing before the Planning Commission.

**Fire Department:**

- 19. The private street shall be constructed to public street standards and capable of

supporting 50,000 gross vehicle weight.

20. Other than the parking bays there shall be no parking on the private street. The street shall be maintained as a fire lane. The curbs shall be painted red and fire lane signage shall be installed along the driveway as required per Hayward Fire Department standards.
21. The fire apparatus turning area shall be maintained and shall be posted with signage and red painted curbs.
22. The private street grade shall not exceed 15 percent.
23. A new fire hydrant shall be installed near the fire apparatus turnaround. The hydrant shall be installed per East Bay Municipal District standards and shall meet a minimum fire flow of 1,500 gallons per minute at 20 pounds per square inch. Crash post protection may be required for the hydrant if it is installed in an unprotected area susceptible to potential vehicular impact.
24. A blue reflective street marker shall be installed on the private street adjacent to the fire hydrant location.
25. Addresses numbers shall be a minimum four-inch high self-illuminated numbers in a location of the building visible from Kelly Street or the private street.

**Public Works – Utilities Division:**

26. Add the note water and sanitary sewer service available subject to standard conditions and fees in effect at time of application.
27. The Kelly Street frontage shall be improved with a street light and a sidewalk across the property frontage. The design and location shall be approved by the City Engineer.
28. Decorative street lights shall be installed along the proposed private street. The number of light standards, location and design shall be approved by the City Engineer and the Planning Director.

**Solid Waste & Recycling:**

29. A Construction and Demolition Debris Recycling Statement must be submitted with the building permit application.
30. A Construction and Demolition Debris Recycling Summary Report must be completed, including weigh tags, at the COMPLETION of the project.

**FINDINGS FOR APPROVAL**  
**TENTATIVE TRACT MAP 7608**

1. The approval of Tentative Map Tract 7608, as conditioned, will have no significant impact on the environment, cumulative or otherwise. A Negative Declaration was prepared per the guidelines of the California Environmental Quality Act (CEQA) for the development of this site.
2. The tentative tract map substantially conforms to the State Subdivision Map Act, the City's Subdivision Regulations, the General Plan, and the City of Hayward Zoning Ordinance.
3. The site is physically suitable for the proposed type of development.
4. The design of the subdivision and the proposed improvements are **not** likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
5. The design of the subdivision and the proposed improvements are **not** likely to cause serious health problems.
6. Existing streets and utilities are adequate to serve the project.
7. None of the findings set forth in Section 64474 of the Subdivision Map Act<sup>1</sup> have been made.

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<sup>1</sup> The findings of Section 66474 set forth the grounds for denial of a tentative map which are as follows:

- (a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
- (b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- (c) That the site is not physically suitable for the type of development.
- (d) That the site is not physically suitable for the proposed density of development.
- (e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- (f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- (g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property with the proposed subdivision.

## **CONDITIONS OF APPROVAL TENTATIVE TRACT MAP 7608**

Unless otherwise stated, all necessary easements shall be dedicated, and all improvements shall be designed and installed at no cost to the City of Hayward.

All improvements shall be designed and constructed in accordance with the City of Hayward Municipal Code – Chapter 10, Article 3, and Standard Specifications and Details – unless otherwise indicated hereinafter.

The applicant/developer's engineer shall perform all design work unless otherwise indicated.

### **IMPROVEMENTS**

Improvement plans shall be submitted to the City Engineer for review and approval. Subject plans shall, in addition to the standard improvements, incorporate the following special design requirements:

#### **Kelly Street**

1. An Encroachment Permit must be obtained prior to the start of any construction within the public right-of-way.
2. Curb, gutter, sidewalk and conform paving shall be constructed across the entire project frontage. Handicap ramps shall be installed where required by the City Engineer. Trees along the street frontage shall be protected in place and shall remain unless removal is authorized by the City Landscape Architect.
3. The entrance to the development shall be designed as a street type opening and not as a driveway entrance. Curb returns shall have a minimum radius of 30 feet at the curb face unless it can be shown that a smaller radius is necessary and is approved by the City Engineer.
4. New standard streetlights shall be installed along the street frontage. The design and location shall be approved by the City Engineer.
5. Existing overhead utilities along the projects side of Kelly Street shall be undergrounded.

#### **Interior Private Street**

6. The interior private street shall have a 25 foot right-of-way width, 24 feet curb to curb to allow for two travel lanes. The street design shall utilize standard curb and gutter. The street sections shall be constructed to public street standards.

7. Upon any necessary repairs to City facilities under the on-site decorative paved areas, the City shall not be responsible for the replacement cost of the decorative paving. The replacement cost shall be borne by the homeowners association established to maintain the private street, driveway and common area within the subdivision boundary.
8. All of the private driveway and the private street shall be designated as fire lanes and no parking will be allowed except in the designated parking areas or the pullout. Curbs shall be painted red and fire lane signage installed every 100 linear feet. Installation of red-curb and signs shall meet Fire Department and City Engineer standards.
9. The hammerhead intersection shall be designed to meet Fire Department access and turning requirements. The decorative pavement shall be designed to support a 50,000 GVW load.
10. Streetlights and pedestrian lighting shall be owned and maintained by the homeowners association and shall have a decorative design approved by the Planning Director and the City Engineer.
11. Driveways shall be a minimum of 20 feet deep between the back of curb or back of sidewalk, as appropriate.
12. Visitor parking spaces shall meet City standards for dimensions and back up requirements. The CC&R's shall reflect that visitor parking spaces shall be utilized only for guest parking. Vehicles of owners/occupants may park in the spaces, but not to exceed 4 hours per day.

#### **Landscaping and Irrigation**

13. Prior to the approval of the improvement plans a detailed landscaping and irrigation plan for the site shall be prepared by a licensed landscape architect and submitted for review and approval by the City's Landscape Architect. Planting and irrigation shall comply with the City's *Water Efficient Landscape Ordinance*.
14. Within all required landscape areas, a complete automatic sprinkler system with an automatic on/off mechanism shall be installed. A hose bib shall be provided within each private yard.

#### **Storm Drainage**

15. The on-site storm drain system shall be a private system owned and maintained by the homeowners association or property owners.
16. The Hydrology and Hydraulics Criteria Summary, Alameda County Flood Control and Water Conservation District, latest edition shall be used to determine storm drainage runoff. A detailed grading and drainage plan with supporting calculations and a completed Drainage Review Checklist shall be approved by the Alameda County Flood Control and the City Engineer. The hydrology study shall substantiate that there will be no net increase in the quantity of runoff from the site versus the flow rate derived from the

original design of downstream facilities. If there is augmented runoff, off-site and/or on-site mitigation measures will be necessary.

17. A Storm Water Pollution Prevention Plan (SWPPP) shall be submitted with a design to reduce discharge of pollutants and sediments into the downstream storm drain system. The plan shall meet the approval of the City Engineer.
18. The developer shall provide a copy of the Notice of Intent filed with the State Water Resources Control Board, prior to the issuance of a grading permit for the project site.
19. The project plans shall include storm water measures for the operation and maintenance of the project to be approved by the City Engineer. The project plans shall identify and incorporate Best Management Practices (BMPs) appropriate to the uses conducted onsite to effectively prevent the entry of pollutants into storm water runoff. Roof leaders shall discharge into a landscaped area prior to storm runoff entering a pipe system.
20. The developer shall prepare a Maintenance Agreement for storm water BMP's constructed as part of this project. The Maintenance Agreement shall be reviewed and approved by the City prior to recordation with the Alameda County Recorder's Office. The Agreement shall be recorded to ensure that the responsibility for maintenance is bound to the property in perpetuity.
21. The project street and parking areas shall be designed to facilitate street sweeping. The HOA shall be responsible for street sweeping on a regular basis.
22. The project plan measures shall also include erosion control measures to prevent soil, dirt, debris and contaminated materials from entering the storm drain system, in accordance with the regulations outlined in the ABAG Erosion and Sediment Control Handbook.
23. The applicant/developer is responsible for ensuring that all contractors are aware of all storm water quality measures and implement such measures. Failure to comply with the approved construction BMPs will result in the issuance of correction notices, citations or a project stop order.
24. The project shall not block runoff from, or augment runoff to, adjacent properties. The drainage area map developed for the hydrology design shall clearly indicate all the areas tributary to the project area. The developer is required to mitigate augmented runoffs with off-site and/or on-site improvements.
25. All storm drain inlets must be labeled "No Dumping - Drains to Bay" using City approved methods.
26. Storm water inlets shall be installed at the curb face per the City of Hayward Standard Details. The design and location shall be approved by the City Engineer.



### **Sanitary Sewer System**

27. Sanitary sewer service is available from the Oro Loma Sanitary Sewer District, subject to standard conditions and fees in effect at the time of application.

### **Water System**

28. Water service is available from the East Bay Municipal Utilities District and is subject to standard conditions and fees in effect at the time of application.
29. A fire hydrant shall be provided within the development and location shall be approved by the Fire Department prior to start of construction. Fire hydrant locations shall be identified with blue reflective pavement markers installed in the street adjacent to the fire hydrant.
30. Fire hydrants shall be double steamer type which shall be installed per City standards. Crash post protection may be required for the fire hydrant if it is installed in an unprotected area susceptible to potential vehicular impact.
31. Fire flow requirements for this development shall be 1,500 gallons per minute at 20 psi.

### **Utilities**

32. All utility services shall be "underground service" designed and installed in accordance with the Pacific Gas and Electric Company, SBC and SBC Broadband Company regulations. Transformers, and switch gear cabinets, shall be placed underground unless otherwise approved by the Planning Director and the City Engineer. Underground utility plans must be submitted for City approval prior to installation.
33. The joint trench for the homes must be placed within the private street and private driveway so as not to conflict with the installation of required street trees and landscaping.
34. The developer shall provide and install the appropriate facilities, conduit, junction boxes, etc., to allow for installation of a fiber optic network within the subdivision.
35. All proposed surface-mounted hardware (fire hydrants, electroliers, etc.) along the proposed streets shall be located outside of the sidewalk within the proposed Public Utility Easement in accordance with the requirements of the City Engineer or, where applicable, the Fire Chief.
36. All utilities shall be designed in accordance with the requirements of the City of Hayward and applicable public agency standards.

### **Fire Protection**

37. Each house will require interior smoke detectors (hard wired with battery backup) per the CBC.
38. Addressing for each building as well as individual townhouses units shall be assigned and approved by the Fire Department. Numbers shall be a minimum of 4 inches in height (self-illuminated) or 6 inch tall if on a contrasting background, and be visible from the street.
39. Approved spark arrestors shall be installed on chimney caps.

#### **Retaining Walls**

40. All retaining walls shall be constructed with decorative reinforced concrete. The exposed face of any retaining wall shall not exceed 6 feet from ground to top of wall.

#### **Dedications, Easements and Deed Restrictions**

41. The final map shall reflect:
  - a. Dedication of right-of-way along Kelly Street to allow widening of the street to its ultimate width.
  - b. Five-foot-wide public utility easements (PUE) along the edge of the public/private streets where necessary as determined by the City Engineer.

#### **Subdivision Agreement**

42. Execute a subdivision agreement and post bonds with the City that shall secure the construction of the public improvements per Section 10-3.332, Security for Installation of Improvements, of the Municipal Code. Insurance shall be provided per the terms of the subdivision agreement.

#### **PRIOR TO CONSTRUCTION WITH COMBUSTIBLE MATERIALS**

43. Required water system improvements shall be completed and operational prior to the start of combustible construction to the satisfaction of the Fire Chief.
44. A minimum 24-foot-wide all-weather access road, engineered for 50,000 pounds gross vehicle weight, shall be maintained for emergency vehicle access.

#### **DURING CONSTRUCTION**

45. The following control measures for construction noise, grading and construction activities shall be adhered to, unless otherwise approved by the Planning Director or City Engineer:

- a. Grading and construction activities shall be limited to the hours 7:00 AM to 6:00 PM on weekdays and Saturdays; there shall be no grading or construction activities on Sundays or holidays;
- b. Grading and construction equipment shall be properly muffled;
- c. Unnecessary idling of grading and construction equipment is prohibited;
- d. Stationary noise-generating construction equipment, such as compressors, shall be located as far as practical from occupied residential housing units;
- e. Applicant/developer shall designate a "noise disturbance coordinator" who will be responsible for responding to any local complaints about construction noise. Letters shall be mailed to surrounding property owners and residents (within 200 feet of the project boundary) with this information.
- f. The developer shall participate in the City's recycling program during construction;
- g. Daily clean-up of trash and debris shall occur on Kelly Street and other neighborhood streets utilized by construction equipment or vehicles making deliveries.
- h. The site shall be watered twice daily during site grading and earth removal work, or at other times as may be needed to control dust emissions;
- i. All grading and earth removal work shall follow remediation plan requirements, if soil contamination is found to exist on the site;
- j. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites;
- k. Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites;
- l. Apply (non-toxic) soil stabilizers or hydroseed to inactive construction areas (previously graded areas inactive for 10-days or more);
- m. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
- n. Gather all construction debris on a regular basis and place them in a dumpster or other container which is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to storm water pollution;

- o. Remove all dirt, gravel, rubbish, refuse and green waste from the sidewalk, street pavement, and storm drain system adjoining the project site. During wet weather, avoid driving vehicles off paved areas and other outdoor work;
  - p. Broom sweep the sidewalk and public street pavement adjoining the project site on a daily basis. Caked on mud or dirt shall be scraped from these areas before sweeping;
  - q. No site grading shall occur during the rainy season, between October 15 and April 15, unless approved erosion control measures are in place.
  - r. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site prior to: 1) start of the rainy season; 2) site dewatering activities; or 3) street washing activities; and 4) saw cutting asphalt or concrete, or in order to retain any debris or dirt flowing into the City storm drain system. Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and prevent street flooding. Dispose of filter particles in the trash;
  - s. Create a contained and covered area on the site for the storage of bags of cement, paints, flammables, oils, fertilizers, pesticides or any other materials used on the project site that have the potential for being discharged to the storm drain system through being windblown or in the event of a material spill;
  - t. Never clean machinery, tools, brushes, etc., or rinse containers into a street, gutter, storm drain or stream. See "*Building Maintenance/Remodeling*" flyer for more information;
  - u. Ensure that concrete/gunite supply trucks or concrete/plasters finishing operations do not discharge washwater into street gutters or drains; and
  - v. The applicant/developer shall immediately report any soil or water contamination noticed during construction to the City Fire Department Hazardous Materials Division, the Alameda County Department of Health and the Regional Water Quality Control Board.
46. A representative of the soils engineer shall be on the site during grading operations and shall perform such testing as deemed necessary by the City Engineer. The representative of the soils engineer shall observe grading operations with recommended corrective measures given to the contractor and the City Engineer.
47. The minimum soils sampling and testing frequency shall conform to Chapter 8 of the Caltrans Construction Manual. The subdivider shall require the soils engineer to daily submit all testing and sampling and reports to the City Engineer.
48. The developer shall be responsible to adhere to all aspects of the Storm Water Pollution Prevention Plan (SWPPP) as approved per condition of approval No. 8 above.

49. Construction Administration services shall be provided by the project landscape architect. Services to include:
- a. Observation of irrigation system before burying pipes;
  - b. Observation of plant material upon delivery to the site;
  - c. Observation of layout and placement of plant material upon delivery to the site;
  - d. Observation for maintenance period commencement; and
  - e. Observation for final acceptance.

**PRIOR TO CONNECTION OF UTILITIES AND ISSUANCE OF CERTIFICATES OF OCCUPANCY**

50. The applicant/developer shall pay the following fees, the amount of the fee shall be in accordance with the fee schedule in effect at the time of issuance of the building permits;
- a. Supplemental Building Construction and Improvement Tax;
  - b. School Tax; and
  - c. Park In-lieu fees for each dwelling unit at the rate in effect when the building permit for unit is issued.
51. Any damaged curb, gutter and/or sidewalk along the Kelly Street property frontage shall be repaired or replaced to the satisfaction of the City Engineer.
52. All common area landscaping, irrigation and other required improvements shall be installed according to the approved plans.
53. The on-site street light electroliers shall be in operating condition as approved by the Planning Director and the City Engineer.

**PRIOR TO CITY APPROVAL OF THE TRACT IMPROVEMENTS AS BEING COMPLETED**

54. All tract improvements, including the complete installation of all improvements relative to streets, fencing, sanitary sewer, storm drainage, water system, underground utilities, etc., shall be completed and attested to by the City Engineer before approval of occupancy of any unit. Where facilities of other agencies are involved, such installation shall be verified as having been completed and accepted by those agencies.

55. All common area landscaping, irrigation and other required improvements shall be installed prior to acceptance of tract improvements, or occupancy of 80 percent of the dwelling units, whichever first occurs.
56. The improvements associated with the Pacific Gas and Electric Company, EBMUD, SBC and ComCast shall be installed to the satisfaction of the respective companies.
57. The subdivider shall submit an "as built" plan indicating the following:
  - a. All the underground facilities, sanitary sewer mains and laterals, water services (including meter locations), Pacific Gas and Electric Company, EBMUD, SBC and Comcast, etc; and
  - b. All the site improvements, except landscaping species, buildings and appurtenant structures.

# FAIRVIEW COMMUNITY CLUB INC.

(A Non-Profit Organization)  
3059 Bayview Way

HAYWARD, CALIFORNIA 94543

**Sponsors:**

Fairview Hills Nursery School

9 March 2005

City of Hayward  
Planning Division 1st Floor  
777 "B" Street  
Hayward, CA 94541

APPLICATION NO. PL-2005-0063 TTM7608

ATTENTION: Mr. Andrew S. Gaber, PE, Staff Planner

**CHANGE SINGLE FAMILY RESIDENTIAL ZONING TO PLANNED DEVELOPMENT, 6 LOTS AT  
2448 KELLY STREET, HAYWARD, CA 94541, TENTATIVE MAP # 7608, OWNER MR.  
JAMAL RABBANI**

This is to acknowledge receipt of your referral of subject application for Zone change of one lot consisting of 43,461 square feet into 6 lots at 2448 Kelly Street, Hayward, CA 94541.

I met this morning with Mr. Jamal Rabbani, Owner of property at 2448 Kelly Street, Hayward. We walked the area of the property discussing the Tentative Map Tract # 7608.

This property has some serious drainage problems that will require a drainage system that will not adversely impact the surrounding properties on Olive Place that backs up to the eastern boundary of this site. There appears to be a natural drainage in the area of the Emergency Vehicle turn-around that need to be addressed before the final map.

There are several retaining walls on the property that does not appear on the Tentative Map. These retaining walls should be addressed before sub-dividing the property.

The area of the Emergency Vehicle turn-around between lots 3 & 4 has three(3) parking spaces at the end of the turn-around. The curbs on both sides of the turn-around should be painted red and posted "No Parking". It is questionable whether the three (3) visitors parking spaces at the end of the Emergency Vehicle turn-around is sufficient visitors parking, since there is "No Parking" on Kelly Street between Bayview Avenue and Olive Place.

At the end of the Emergency Vehicle turn-around is a vacant area 28'x 16' or 448 square feet. This "No Mans land" should be divided equally with lots 3 & 4 and added to these lots for the care and maintenance. This will eliminate future problems of caring and maintenance of this area.

East Bay MUD and Hayward services some parts of this area. It is our concern that a definite decision be made as to what Utility will service this development during the early part of the approval process.

The Private Street (Kelly Estate Court) should be posted "NO Parking" and curbs on both sides of the street be painted red.

Page 2

City of Hayward

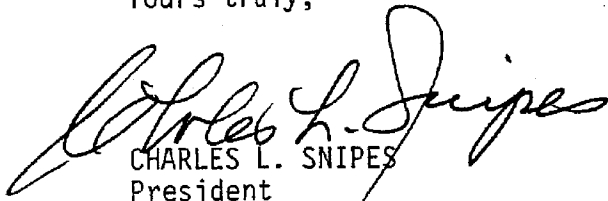
Planning Division 1st floor continued

Application No. PL-2005-0063 TTM 7608, 2448 Kelly Street, Hayward

The Fairview Community Club recommends:

1. Approval of the Planned Development Zoning for this Sub-Division, Tract Map # 7608.
2. A drainage system be developed that will not adversely impact the surrounding properties on Olive Place which backs up to eastern boundary of this site and properties on Kelly Street at 2418, 2386, 2336, 2334, 2332, and 2290.
3. The 448 square feet area at the end of the Emergency Vehicle turn-around be divided equally by adding 224 square feet to Lot 3 and 244 square feet to Lot 4.
4. The curbs of the Private Street (Kelly Estate Court) and the Emergency Vehicle turn-around be painted red and posted "No Parking".

Yours truly,



CHARLES L. SNIPEs  
President

cc: Mr. Jamal Rabbani (Owner)  
Residents Olive Court  
Residents on Kelly Street address listed in Recommendation # 2



## Olive Place Residents

22736 Olive Place  
Hayward, California

March 9, 2005

City of Hayward  
Planning Division  
777 B Street  
Hayward, California 94541-5007

Dear Mr. Gaber and Mr. Koonze:

As residents of Olive Place, we have many concerns regarding the proposed zoning change and subsequent development at 2448 Kelly Street. The proposed development borders the rear of our properties. Because it will literally be located just beyond our back yards, we would like to be ensured that any negative impacts be adequately mitigated. Following is a list of our concerns.

- The first issue is that we were told by the Olive Place Developer (Randy Reinhart) that 2448 Kelly Street contained a P G & E easement and would never be built upon. This is one of the main reasons residents were attracted to this area. If there is truth to this, we are concerned about potential problems related to development adjacent to or on top of this easement and how these problems have or will be mitigated.
- Traffic is a major concern for this area. During peak traffic hours, the area is already overly congested. Traffic backs up on B, Center, and Kelly Streets. We are concerned about traffic impact studies being conducted for cumulative development in this area. In addition, motorists traveling down Kelly speed up to 50 miles per hour. It is just a matter of time before a head on collision occurs between these motorists and motorists that have stopped to make a left turn onto Olive Place. Because placing more homes above Olive Place adds more traffic, thereby contributing to the problem, a stop sign should be placed on the north side of Kelly at Olive Place. This will better control the additional amount of traffic added to Kelly.
- The design of these homes is critically important to maintaining our property values. We want to ensure that the utmost consideration is given to this issue.
- Our properties need to be adequately buffered from this development and any future roadway. We are concerned about how this will be accomplished.
- We are concerned that adequate aesthetics (i.e., Trees or other aesthetically pleasing features) be incorporated into the development to ensure that the value of are properties are not diminished.

March 9, 2005

We appreciate all opportunities to provide input throughout the development process. Please contact Elton Broudy at (510) 537-3116 to discuss the issues regarding this development.

Sincerely,

Olive Place Residents

Donald R. Long 22738  
Jill P. 22756  
James S. 22766  
Tom B. 22772  
K. K. K. 22790  
Elton Broudy 22736

RECEIVED

JUL 14 2005

PLANNING DIVISION

Tim R. Koonze/ Andrew Gaber, P.E.  
City of Hayward, Planning Division  
777 "B" Street  
Hayward, CA 94541

July 10, 2005

James D. & Helene M. Perrizo  
22797 Bayview Avenue  
Hayward, CA 94541



Ref: (ZC) PL-2005-0062/ (TTM 7608) PL-2005-0063

Dear Sirs:

First, my wife and I support new single family homes in our neighborhood. That said, we have several concerns about the property development at 2448 Kelly Street:

1. The property has not been maintained for weed abatement and is covered with tall weeds that constitute a fire hazard. Fortunately, no fires started on the property over the 4<sup>th</sup> of July weekend, even though a multitude of fireworks and bottle rockets were ignited in the vicinity.
2. Trash has accumulated on the property and constitutes a health hazard.
3. The intersection of Kelly Street and Bayview Avenue is a known traffic hazard, with many accidents at the intersection and onto the properties adjacent to Kelly Street on Bayview Avenue. Vehicles have careened over the curbs on Bayview Avenue after turning off Kelly Street and contacted and damaged houses on both corners. I have personally lost two of my vehicles that were totaled by other cars on Bayview Avenue.
4. There is a sewer easement that runs along the entire east side of the 2448 Kelly Street property. This same easement occupies the west rear side of each individual property abutting from the Bayview Avenue side. Several properties have large trees with deep roots overlying this clay sewer lateral that services a half dozen properties on Bayview Avenue. I suggest that a retaining wall be built on the east end of the property of 2448 Kelly Street and that the tall trees that overlay the clay pipe lateral be removed. Access to this lateral should be maintained from the 2448 Kelly Street property.
5. Several simple improvements can be done now to the Kelly/Bayview intersection to enhance safety:
  - a. Paint the curbs along Kelly/Bayview RED to preclude parking at and along that intersection. The Bayview intersection should be at least 50 feet from the junction that prohibits any parking near this intersection. A double yellow line should be painted dividing Bayview Avenue from the start of the street northerly for 50 feet.
6. Something should be done to redesign the intersection at Kelly/Bayview.

ATTACHMENT I



**MINUTES OF THE REGULAR MEETING OF THE  
CITY OF HAYWARD PLANNING COMMISSION  
Council Chambers  
Thursday, July 28, 2005, 7:30 p.m.  
777 B Street, Hayward, CA 94541**

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4. Zone Change No. PL-2004-0062 / Tentative Tract Map 7608 – Jamal Rabbani (Applicant/Owner) – Request to Change the Zoning from a Single-Family Residential District to Planned Development District and Subdivide a 0.7 Acre parcel Into 7 Parcels and Construct 6 Homes – The Project is Located at 2448 Kelly Street in a Single-Family Residential Zoning District (Continued from July 14, 2005)

Staff report submitted by Assistant Planner Koonze, dated July 28, 2005, was filed.

Assistant Planner Koonze indicated a correction to page one of the report, that the property size is a 43000 square-foot parcel and not 38000 as presented in the report.

Assistant Planner Koonze presented the staff report and responded to questions from Commissioners.

In response to Commissioner Peixoto, regarding a comprehensive traffic study on the Kelly area, Assistant Planner Koonze indicated that the City's Transportation Planner reviewed the application and determined a traffic study was not warranted. In regards to concerns regarding an underground stream, Assistant Planner Koonze indicated that staff gathered the information from past and present aerial photos and from the Geotechnical report and there was no indication that an underground stream exists on the property.

In response to Commissioner Zermefio's concern regarding traffic, Assistant Planner Koonze responded that from the eight accidents that were reported in the past five years, only four were correctable and that Caltrans' guidelines requires five correctable accidents per year in order to warrant intersection modifications. In regards to the Oliver resident's letter, included in the report, referring to an existing PG&E easement, Assistant Planner Koonze responded that the property title report did not find any easement other than an easement for Oro Loma.

Chair Thnay opened the public hearing at 8:59 p.m.

Mr. Jitender Makkar, project designer, commended staff for the assistance in helping him improve the project. He added that they have re-designed the project taking into consideration the concerns voiced by the neighbors and the recommendations by the Fairview Community Club.

In response to Commissioner Lavelle's enquiry regarding a response to the drainage problem mentioned in the Fairview Community Club letter, Project Engineer Mohamed Genidy responded that the drainage system will be improved.

Commissioner McKillop complimented the designer on the creativity of the project.

Mr. Sam Ali, Kelly Ave resident, spoke against the project because of lack of privacy for the houses surrounding the proposed project.

Ms. Helen Perrizo, Bayview Avenue resident and representing her husband Mr. James Perrizo, mentioned the letter submitted by her husband addressing concerns about the proposed project. Even though she is supportive of the project, she strongly emphasized concern for the traffic problem. She added that in the four years that she has lived in the area she has records of at least ten accidents that occurred in the area. She spoke strongly about the dangerous existing traffic conditions.

Mr. Etton Broude, Olive Place resident, expressed that staff has not been cooperative with his request to view procedural documents for this project. He spoke strongly about the traffic on Kelly Street and the impact on the quality of life the traffic places upon them.

Ms. Kathy O'Loughlin, Kelly Street resident and owner adjacent to the proposed project, referred to a letter that was submitted prior to the meeting regarding water issues affecting them and her neighbors. She also spoke negatively about the accuracy of the traffic information presented in the report. She asked for good judgment in considering this project and kindly asked for an intense traffic study on this area.

Mr. Philip O'loughlin, Kelly Street resident, spoke about issues concerning the underground water, lack of privacy, weed problem on the property, and accidents due to the traffic condition. He asked for the City to further study the underground water problem and asked for reassurance that the proposed project is not going to make the current conditions worse.

Mr. John Franklin, Kelly Street resident, spoke strongly about the traffic on Kelly Street. He mentioned that the proposed houses look nice but he believes that it is going to create more traffic problems. He also expressed concern for the underground water problem and asked for a feasible study.

Ms. Sharon Brook, Bayview Avenue resident, expressed the lack of parking on Kelly Street and the impact on Bayview with many cars parked there. She mentioned several accidents in the ten years that she has lived in the area. She also expressed concern that the project might block the view from her property.

Mr. Jamal Rabbani, project property and owner, expressed his willingness to address the different concerns presented.

In reference to Commissioner Sacks' concern for the impact that the proposed project is going to have on the current drainage problem, Mr. Rabbani responded that drainage is properly treated in the property and expressed that overall the drainage system is going to improve.

Mr. Rabbani responded to the concerns voiced regarding the weeds by stating that they are already being considered by the arborist. In regards to the view, he mentioned that the project is not going to create a problem.

Chair Thnay closed the public hearing at 9:42 p.m.



**MINUTES OF THE REGULAR MEETING OF THE  
CITY OF HAYWARD PLANNING COMMISSION  
Council Chambers  
Thursday, July 28, 2005, 7:30 p.m.  
777 B Street, Hayward, CA 94541**

---

Principal Planner Patenaude stated that the project would provide additional street improvements and side walk enhancement. Regarding the drainage issue, he mentioned that it is common for houses in the hill area to have regularly occurring subterranean drain and emphasized that the project has been designed to not add additional burden to surrounding properties. As far as the privacy issue, the new homes meet or exceed the proper set-back requirements and that the project is not going to obstruct the view from the homes on Bayview. He added that the traffic is a big concern, but he also mentioned that traffic is analyzed in the General Plan and is more of a regional issue rather than one that should be addressed by this proposal.

Chair Thnay, in regards to the traffic, mentioned that the concern is not about the quantity of cars that the project is going to add but how the impact on quality of life. He mentioned that if speed is the issue for the poor quality of life, then that problem needs to be mitigated. He added that he would support the motion if a condition is added to conduct a traffic study.

In response to Commissioner Bogue's inquiry if construction of the proposed project is going to affect the current groundwater conditions on the ground level, Development Review Gaber indicated that according to the Geotechnical Report, which performed multiple 20- foot borings, no groundwater was found on this site. He added that the developer is required to do a more comprehensive study before obtaining permits and if the developer encounters water, he will need to address the issue before proceeding with the project.

Commissioner Sacks mentioned that the traffic concern at Kelly Street is accurate, but emphasized that the problem is not caused by the one access point proposed by the project. She encouraged the residents of the neighborhood to get together with traffic enforcement representatives and address the current problem.

Commissioner Zermefio mentioned that one possible solution to the problem would be to place a stop sign at Bayview and Kelly. Commissioner Zermefio moved the staff recommendation per the staff report. He added that this will add value to the surrounding properties.

Commissioner Peixoto seconded the motion. In regards to the traffic issue, he concurred with Commissioner Sacks' assessment that the project is not going to affect the traffic. With respect to the water issue, he expressed that part of living in the hills is dealing with the fact of natural movement of subterranean water and that there are mitigation measures that can be considered. He supported the motion because it is a good project.

Commissioner McKillop supported the motion because it is a beautiful design and thanked the speaker for voicing their concerns.

Commissioner Lavelle spoke favorably of the project and reminded everyone that the action taken is to recommend this matter to City Council. She urged residents to remain active and informed through the resources available through the City. She also mentioned the issue with many cars parked on Olive Street. She commended the developer and staff for the project.

Chair Thnay thanked the developer and staff for a comprehensive report. He was agreeable with the project but since the motion did not include considering a traffic study to mitigate the existing condition, he would not support the motion.

Commissioner Zermefio moved, seconded by Commissioner Peixoto, and approved, to recommend that the City Council approve the Negative Declaration; approve the Zone Change and the Preliminary Development Plan subject to the findings and conditions of approval; and approve Tentative Map 7608 subject to the findings and conditions of approval.

AYES:	COMMISSIONERS Lavelle, Sacks, McKillop, Bogue, Peixoto, Zermefio
NOES:	CHAIR Thnay
ABSENT:	COMMISSIONER None
ABSTAIN:	COMMISSIONER None

#### **ADDITIONAL MATTERS**

##### **5. Oral Reports on Planning and Zoning Matters**

Principal Planner Patenaude mentioned that the action at Tuesday's Council meeting involved approval of the Target project. He added that there was a statement made by the Director of HARD, who indicated commitment to work together with the City. He added that Council reviewed the variance for the parking at Highland and the item was approved allowing the applicant to use the right-of-way to minimize the location of retaining walls.

##### **6. Commissioners' Announcements, Referrals**

Commissioner Zermefio commended the nice project on Alice Street.

Commissioner Sacks commended the projects on Hayward Boulevard, Winton Avenue, and on Alice Street. As an observation, she mentioned that there is need to set a limit on the number of cars and the usage of public parking. Another issue expressed was speeding.

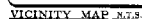
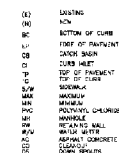
Commissioner McKillop mentioned that there are littering problems at the sidewalks of the Albertson development. She asked for staff's consideration on enforcing cleanliness in that area. Principal Planner Patenaude mentioned that he will address the issue at a meeting with the owner.

Commissioner Bogue reiterated comments made by Commissioner McKillop and expressed disappointment for the cleanliness at the Albertsons development and the lack of responsibility.

Chair Thnay reported that in one of his BART trips, he noticed that along Hayward towards the South Hayward Station there is plenty of graffiti.

#### **APPROVAL OF MINUTES**

Minutes of July 7, 2005 and July 14, 2005 were approved.



I \_\_\_\_\_ AGREE TO  
THE FILING OF SAID MAP AND AGREE TO COMPLY  
WITH THE PROVISIONS OF THE CITY OF HAYWARD  
SUBDIVISION ORDINANCE AND THE STATE MAP ACT  
AS THEY APPLY TO THE PROCESSING AND APPROVAL  
OF SAID MAP

BENCH MARK

STATION IS BRASS PIN IN A STANDARD CITY OF HAYWARD  
MONUMENT SET BELOW THE PAVEMENT IN A STANDARD CASTING  
ON THE MONUMENT LINE 30 FEET SOUTHERLY MEASURED AT  
RIGHT ANGLES FROM THE CENTER LINE OF KELLEY STREET AND  
ON THE MONUMENT LINE 10 FEET EASTERLY MEASURED AT  
RIGHT ANGLES FROM THE CENTER LINE OF IGRAND WAY,  
ELEVATION 176.61.

1. ASSESSOR'S PARCEL NUMBER: 417-0040-028  
ASSOSSOR'S MAP NO. 417  
TRACT 7808

2. TOTAL AREA: 43,461± SQUARE FEET

3. TOTAL LOTS: 6

4. SERVICES:  
WATER: E.B.M.U.D.  
SEWER: ORO LOMA SD

5. ZONING:  
EXISTING: SINGLE FAMILY (RS)  
PROPOSED: PLANNED DEVELOPMENT (PD)

6. THE PRIVATE STREET SHALL BE DEDICATED AS A PUBLIC UTILITY EASEMENT (PUE), WATER MAIN EASEMENT (WME) AND SANITARY SEWER EASEMENT (SSE).

Diagram illustrating the cross-section of a road shoulder and subgrade. Key dimensions and components include:

- ROAD**: The main road surface.
- STANDARD CURB FOR CITY OF HAYWARD SD=106**: The curb and gutter structure on the right side.
- 2' MIN**: Minimum shoulder width.
- 24' MIN**: Minimum slope length.
- SLOPE VARIES 2% MIN**: The slope of the shoulder and subgrade.
- 3" AC**: Asphalt Concrete layer.
- 8" CLASS 2 AB**: Aggregate Base layer.
- COMPACTED SUBGRADE 95% MIN COMPACTION**: The base layer below the aggregate.
- CURB AND GUTTER WHERE SHOWN ON PLAN - 2' CITY OF HAYWARD SD=106**: The curb and gutter structure on the left side.

PLANNING DIVISION

SCALE: 1" = 2'

PROJECT  
KELLY ESTATE  
2448 KELLY ST.  
HAYWARD, CA 94541

TRACT 7608



07-19-0

TRACT 7608  
TENTATIVE MAP

Date	Drawing Number
07-19-05	
Scale	TM
AS NOTED	
Project Number	SHEET 1 OF 1
04-330	



# PROJECT CONTACTS

## CLIENT

JAMAL RABBANI  
4423 BUSH CIRCLE  
FREMONT, CA 94538  
PH: (510)-933-1111 / FAX: (510)-438-4480  
CELL: (510)-915-4111

## DESIGN CONSULTANT

EDGE CONCEPTS INC  
38933, BELL ST, APT # 210  
FREMONT, CA 94538  
PH: 510-386-2148/ FAX: 510-792-7220

## LANDSCAPE ARCHITECT

WESLEY T. SAKAMOTO  
865 HOLLYHOCK DR.  
SAN LEANDRO, CA 94578

## CIVIL ENGINEER

MOHAMED S. GENIDY (G+M ENGG)  
4785 DEEP CREEK RD  
FREMONT, CA 94539  
PH: 510-377-7888/ FAX: 510-894-2572

## GEOTECHNICAL ENGINEER

GARY HSU  
CAPEX ENGINEERING  
P.O. BOX 14198  
FREMONT, CA 94538  
PH: (510)-668-1815  
FAX: (510)-490-8690

## LAND SURVEYOR

RALPH MASLOFF  
GL+A CIVIL ENGINEERS  
414 MASSON ST. SAN FRANCISCO  
CA 94012  
PH: 415-956-6707

## ARBORIST

TIM HEWITT ISA  
22493 VICTORY DRIVE  
HAYWARD, CA 94541

# SCOPE OF WORK

## DEMOLITION

TO DEMOLISH ALL EXISTING STRUCTURES INCLUDING SINGLE FAMILY HOME, DETACHED CAR PORT, ALL RETAINING WALLS AND OTHER STRUCTURES AS SHOWN ON THE DEMOLITION PLAN. DEMOLITION WORK ALSO INCLUDES REMOVAL OF ALL CHAIN LINK FENCES AND TREES INCLUDING MOST FRUIT TREES ON SITE.

## PROPOSAL FOR NEW WORK

PROPOSAL INCLUDES SUBDIVISION OF LAND INTO SIX SINGLE FAMILY HOMES AND PRIVATE PARCEL INCLUDING PRIVATE STREET (KELLY ESTATE COURT), LANDSCAPE AND COMMON AREA.

PROJECT SITE IS LOCATED ON KELLY STREET WITH FRONTAGE OF ABOUT 112 FEET ALONG KELLY. PROPERTY IS ABOUT 390 FEET DEEP. NECESSITATING A FIRE TRUCK TURN AROUND ON THE PRIVATE STREET.

PROPOSAL INCLUDES 6 NEW SINGLE FAMILY HOMES, EACH WITH ITS OWN CHARACTER AND CHARACTER OF DEVELOPMENT AS A WHOLE. HOMES ARE TWO FLOOR UNITS. FIRST FOUR UNITS TOWARDS KELLY ST ARE SUNKEN BELOW GRADE FROM THE NEW PRIVATE STREET AND APPEAR TO BE SINGLE STORY BUILDINGS. HOWEVER, DUE TO THE GRADE CHANGES AND HILL SIDE ORDINANCE, THEY ARE DESIGNED TO HAVE A SECOND FLOOR BELOW GRADE.

THIS P.D. APPLICATION INCLUDES PLANNING APPROVAL FOR THE DESIGN OF UNITS - FLOOR PLANS AND ELEVATIONS, GRADING PLANS, UTILITIES, LANDSCAPE DESIGN, TENTATIVE MAP AND SUBDIVISION AS PROPOSED.

# PROJECT DATA:

6 UNITS SINGLE FAMILY SUBDIVISION  
APN: 417-040-028  
OCCUPANCY GROUP  
USE  
CONSTRUCTION TYPE  
FIRE SPRINKLERS  
NUMBER OF STORIES  
ZONING

R-3  
FOR SALE TOWNHOMES  
V-1-NR  
NO  
2  
RS

# PARKING REQUIREMENTS

OWNER'S PARKING		PROVIDED SPACES		GUEST PARKING		TOTAL PARKING	
COVERED	UNCOVERED	COVERED	UNCOVERED	REQUIRED	PROVIDED	REQUIRED	PROVIDED
12	12	14	13	3	3	27	30

# LOT / BUILDING INFO:

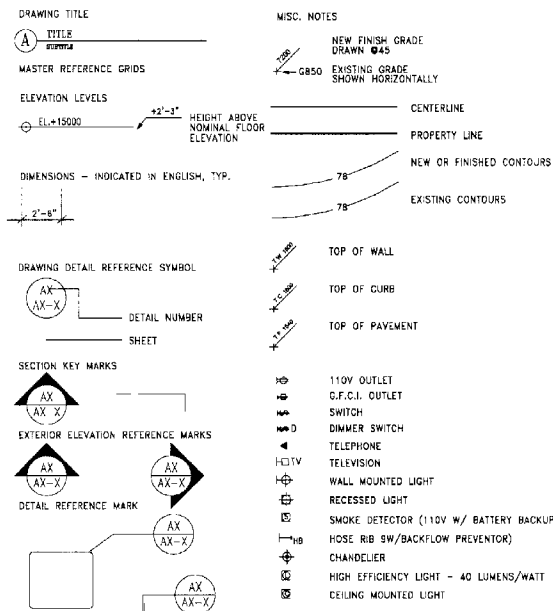
	LOT 1	LOT 2	LOT 3	LOT 4	LOT 5	LOT 6	TOTAL
LOT AREA	5940.51 SQ.FT.	4461.21 SQ.FT.	4132.28 SQ.FT.	4818.13 SQ.FT.	6695.77 SQ.FT.	7652.9 SQ.FT.	33400.8 SQ.FT.
FOOTPRINT	2110.18 SQ.FT.	2110.18 SQ.FT.	2009.85 SQ.FT.	2009.85 SQ.FT.	1965.80 SQ.FT.	1784.03 SQ.FT.	11989.89 SQ.FT.
LOT COVERAGE %	37.41	47.30	48.63	46.87	29.35	23.31	
F.F/BAS. HABITABLE	1399.07 SQ.FT.	1399.07 SQ.FT.	1384.55 SQ.FT.	1384.55 SQ.FT.	1397.13 SQ.FT.	1336.35 SQ.FT.	
S.F HABITABLE	1421.9 SQ.FT.	1433.04 SQ.FT.	1288.54 SQ.FT.	1288.54 SQ.FT.	1529.90 SQ.FT.	1254.53 SQ.FT.	
TOTAL HABITABLE	2820.97 SQ.FT.	2832.11 SQ.FT.	2671.09 SQ.FT.	2671.09 SQ.FT.	2927.03 SQ.FT.	2592.90 SQ.FT.	18515.19 SQ.FT.

TOTAL SITE AREA = 43461.37 SQ.FT.

TOTAL IMPERVIOUS AREA = 11989.89 (TOTAL FOOTPRINT) +  
13088.78 (HARDSCAPE) = 25058.67 SQ.FT.

TOTAL LANDSCAPE(SOFTSCAPE) AREA = 43461.37 - 25058.67 SQ.FT.  
= 18404.7 SQ.FT. ; 42.3 % OF TOTAL SITE AREA

# SYMBOLS



# DRAWING INDEX: 23 SHEETS

## ARCHITECTURAL DRAWINGS

- A0.0 COVER SHEET
- A1.0 SITE PLAN / DEMOLITION PLAN
- A1.1 SITE PLAN/FLOOR PLANS UNIT #1-3
- A1.2 SITE PLAN/ROOF PLANS UNIT #4-6
- A1.3 SITE PLAN/ROOF PLANS UNIT #1-3
- A2.0 UNIT #1-FIRST & SECOND FLOOR PLANS
- A2.1 UNIT #2-FIRST & SECOND FLOOR PLANS
- A2.2 UNIT #3-FIRST & SECOND FLOOR PLANS
- A2.3 UNIT #4-FIRST & SECOND FLOOR PLANS
- A2.4 UNIT #5-FIRST & SECOND FLOOR PLANS
- A2.5 UNIT #6-FIRST & SECOND FLOOR PLANS
- A3.0 UNIT #1-EXTERIOR ELEVATIONS
- A3.1 UNIT #2-EXTERIOR ELEVATIONS
- A3.2 UNIT #3-EXTERIOR ELEVATIONS
- A3.3 UNIT #4-EXTERIOR ELEVATIONS
- A3.4 UNIT #5-EXTERIOR ELEVATIONS
- A3.5 UNIT #6-EXTERIOR ELEVATIONS

## LANDSCAPE DRAWINGS

- L1 LANDSCAPING PLAN

## CIVIL DRAWINGS

- C1 SITE LAYOUT PLAN
- C2 ROAD PROFILE
- TM TENTATIVE MAP

## LAND SURVEY

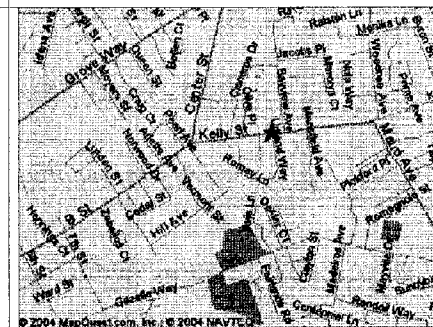
- 1 TOPOGRAPHIC SURVEY

RECEIVED

JUL 20 2005

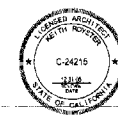
PLANNING DIVISION

# VICINITY MAP



CITY OF HAYWARD

Project #  
PL-2005-0062 ZC



# CONSULTANT INFO:

DESIGN CONSULTANT:  
MR. JAMAL RABBANI  
4423 BUSH CIRCLE  
FREMONT, CA 94538  
PH: (510)-933-1111  
CELL: (510)-915-4111

STRUCTURAL CONSULTANT:  
MR. MOHAMED S. GENIDY  
4785 DEEP CREEK RD  
FREMONT, CA 94539  
PH: (510)-377-7888  
FAX: (510)-894-2572

MECHANICAL CONSULTANT:  
MR. MOHAMED S. GENIDY  
4785 DEEP CREEK RD  
FREMONT, CA 94539  
PH: (510)-377-7888  
FAX: (510)-894-2572

# OWNER INFO:

6 LOT SUBDIVISION AND P.U.D. FOR  
MR. JAMAL RABBANI  
2448 KELLY ST. HAYWARD  
CALIFORNIA 94541  
APN: 417-040-028

# SHEET INFO:

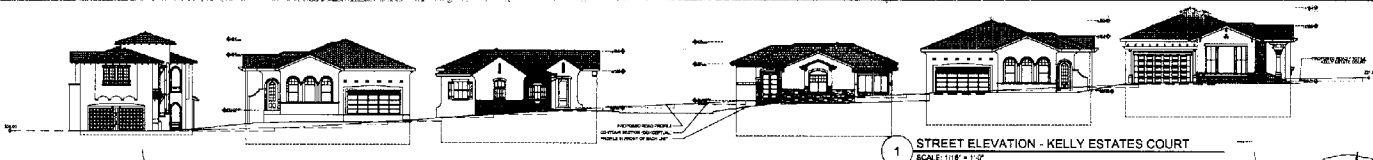
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# COVER SHEET

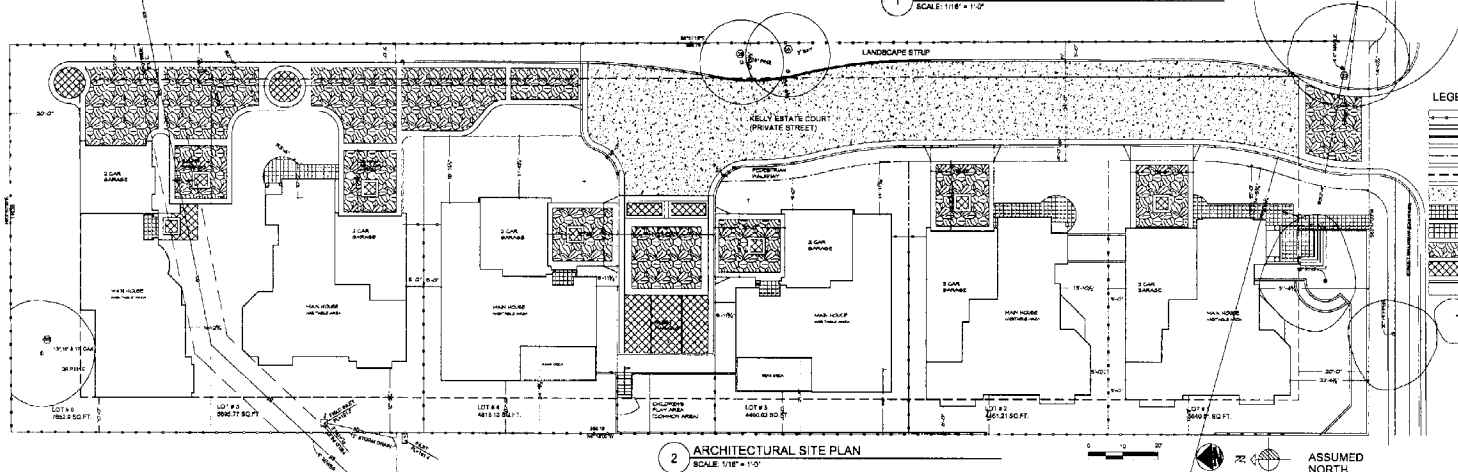
PROJECT NUMBER: RAB-HAY-214  
ISSUED: 07/18/2005  
DESIGN BY: JAMAL RABBANI  
DESIGN SUPERVISOR: J. MARKAR  
FILENAME: RAB-HAY-214-SIT.DWG

SHEET NO.  
A0.0

OF 23 SHEETS



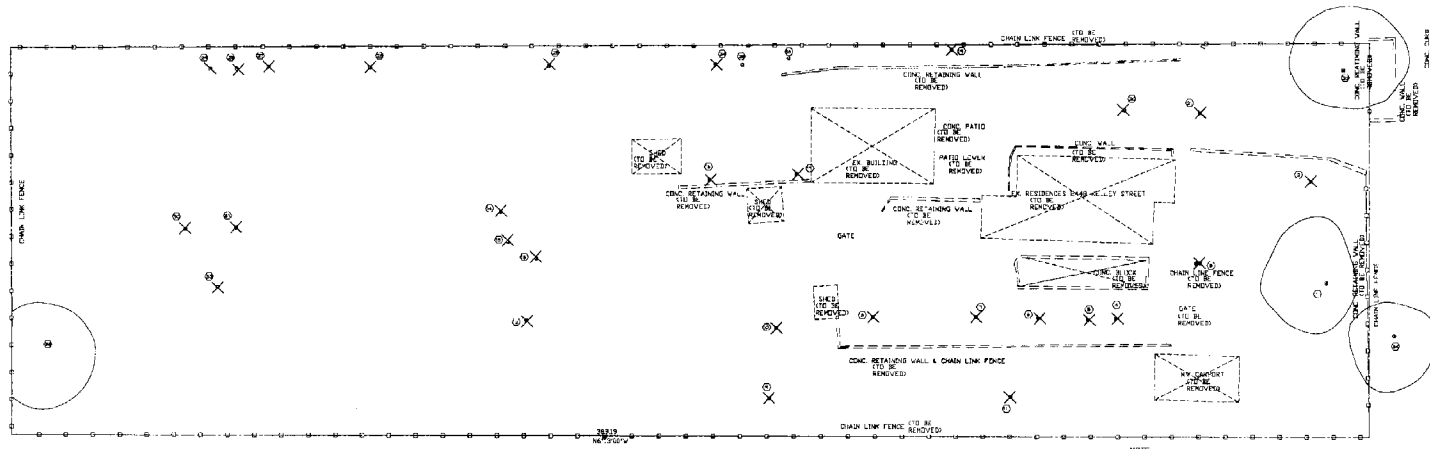
1 STREET ELEVATION - KELLY ESTATES COURT  
SCALE: 1/16" = 1'-0"



2 ARCHITECTURAL SITE PLAN  
SCALE: 1/16" = 1'-0"



1 REAR ELEVATION - WEST SIDE  
SCALE: 1/16" = 1'-0"



4 DEMOLITION PLAN  
SCALE: 1/16" = 1'-0"

- ELEMENTS TO BE REMOVED:
- ⊗ TREES TO BE REMOVED (TYP.)
  - EXISTING CHAIN LINK FENCE TO BE REMOVED (TYP.)
  - EXISTING CONC. WALL/RETAINING WALL TO BE REMOVED
  - EXISTING BUILDING/SHED/CARPORT TO BE REMOVED
  - EXISTING TREE TO REMAIN

SEE ARBORIST REPORT FOR TREE DETAILS, SCHEDULE AND RECOMMENDATIONS

TREE #	NAME	TO REMAIN	TO BE REMOVED
1	PINE		✓
2	PINE		✓
3	WALNUT		✓
4	ASPECT		✓
5	ASPECT		✓
6	CHERRY		✓
7	PIALM		✓
8	PIALM		✓
9	PIALM		✓
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11	PIALM		✓
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31	PIALM		✓
32	PIALM		✓
33	PIALM		✓
34	PIALM		✓

NOTE:  
ALL EXIST. STRUCTURES AT SITE TO BE DEMOLISHED.  
ALL EXIST. RETAINING WALLS TO BE DEMOLISHED & REPLACED  
WHERE SPECIFIED IN CIVIL DWGS.

CONSULTANT INFO:

DESIGN CONSULTANT:  
EDGE CONCEPTS INC.  
10000 W. KELLY STREET, SUITE 100  
DANA POINT, CA 92629  
TEL: 949.441.1111  
FAX: 949.441.1112  
WWW.EDGECONCEPTS.COM

STRUCTURAL CONSULTANT:  
MOHAMMED S. GIBRIL, P.E.  
10000 W. KELLY STREET, SUITE 100  
DANA POINT, CA 92629  
TEL: 949.441.1111  
FAX: 949.441.1112  
WWW.EDGECONCEPTS.COM

MECHANICAL CONSULTANT:  
FIRE SPRINKLER CONSULTANT  
LANDSCAPE CONSULTANT

OWNER INFO:

PLANNED UNIT DEVELOPMENT FOR 6  
SINGLE FAMILY LOT SUBDIVISION  
2448 KELLY ST, HAYWARD  
CALIFORNIA 94541  
APN: 417-040-028

SHEET INFO:

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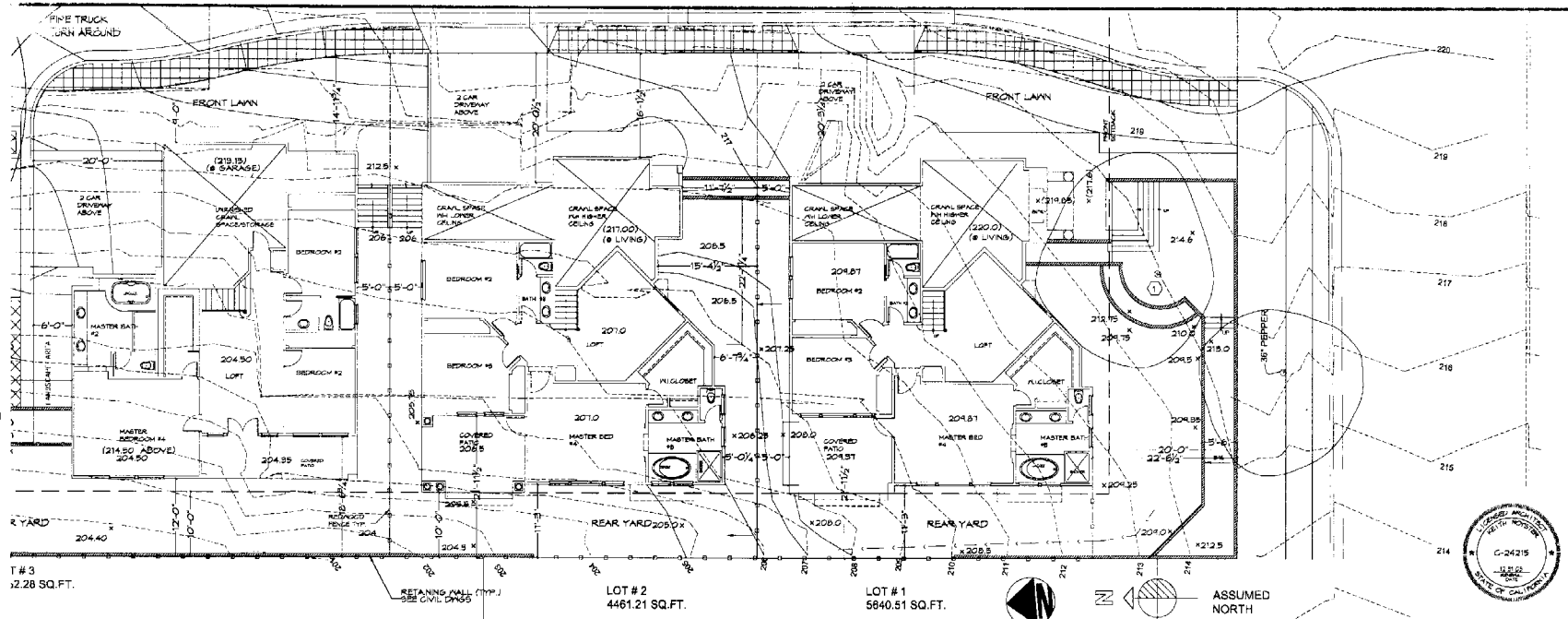
OVERALL SITE PLAN  
PROJECT NUMBER: 048 HAY 244  
ISSUED: 07/19/2006  
DESIGNED BY: JITTENDER MANKAR  
DESIGN SUPERVISOR: J. MANKAR  
FILENAME: 048-HAY-244-SIT.DWG

SHEET NO. A1.0  
OF 23 SHEETS

CONTINUED ON SHEET A12

T #3  
12.28 SQ. FT.

CONTINUED ON SHEET A12



1 SITE PLAN/FIRST FLOOR PLAN - UNITS # 1 - 3  
SCALE: 1/8" = 1'-0"

- LEGEND**
- NEW 6" HIGH REDWOOD FENCE PROPERTY LINE
  - SETBACK LINE
  - STRUCTURE BELOW
  - ROOF ABOVE
  - 34" HIGH METAL FENCE OVER RETAINING WALL
  - RETAINING WALL
  - EASEMENT LINE

PROPOSED OPEN SPACE FOR LOTS 1, 2, 3, 4 & 5					
LOT #	PROPOSED	EXIST. YARD	EXIST. YARD	EXIST. YARD	TOTAL (PROP.)
LOT 1	1571.32	364.3	NA	NA	1935.62
LOT 2	1571.32	281.54	NA	NA	1852.86
LOT 3	1220.5	NA	212.16	2	1432.66
LOT 4	1506.38	NA	212.16	2	1718.54
LOT 5	1547.42	458.42	0	2	2005.84
LOT 6	1624.41	554.12	NA	NA	2178.53
TOTAL OPEN AREAS FOR LOTS 1-6					13638.06

2 SITE PLAN/SECOND FLOOR PLAN - UNITS # 1 - 3  
SCALE: 1/8" = 1'-0"

CONSULTANT INFO:

DESIGN CONSULTANT:  
EDGE CONCEPTS INC.  
1000 10TH AVENUE, SUITE 100  
SAN FRANCISCO, CA 94103  
TEL: 415-774-1111  
WWW.EDGECONCEPTS.COM

STRUCTURAL CONSULTANT:  
MOHAMED B. GIBRIL, C.E., S.E.  
1000 10TH AVENUE, SUITE 100  
SAN FRANCISCO, CA 94103  
TEL: 415-774-1111  
WWW.EDGECONCEPTS.COM

MECHANICAL CONSULTANT:  
FIRE SPRINKLER CONSULTANT:  
LANDSCAPE CONSULTANT:

OWNER INFO:

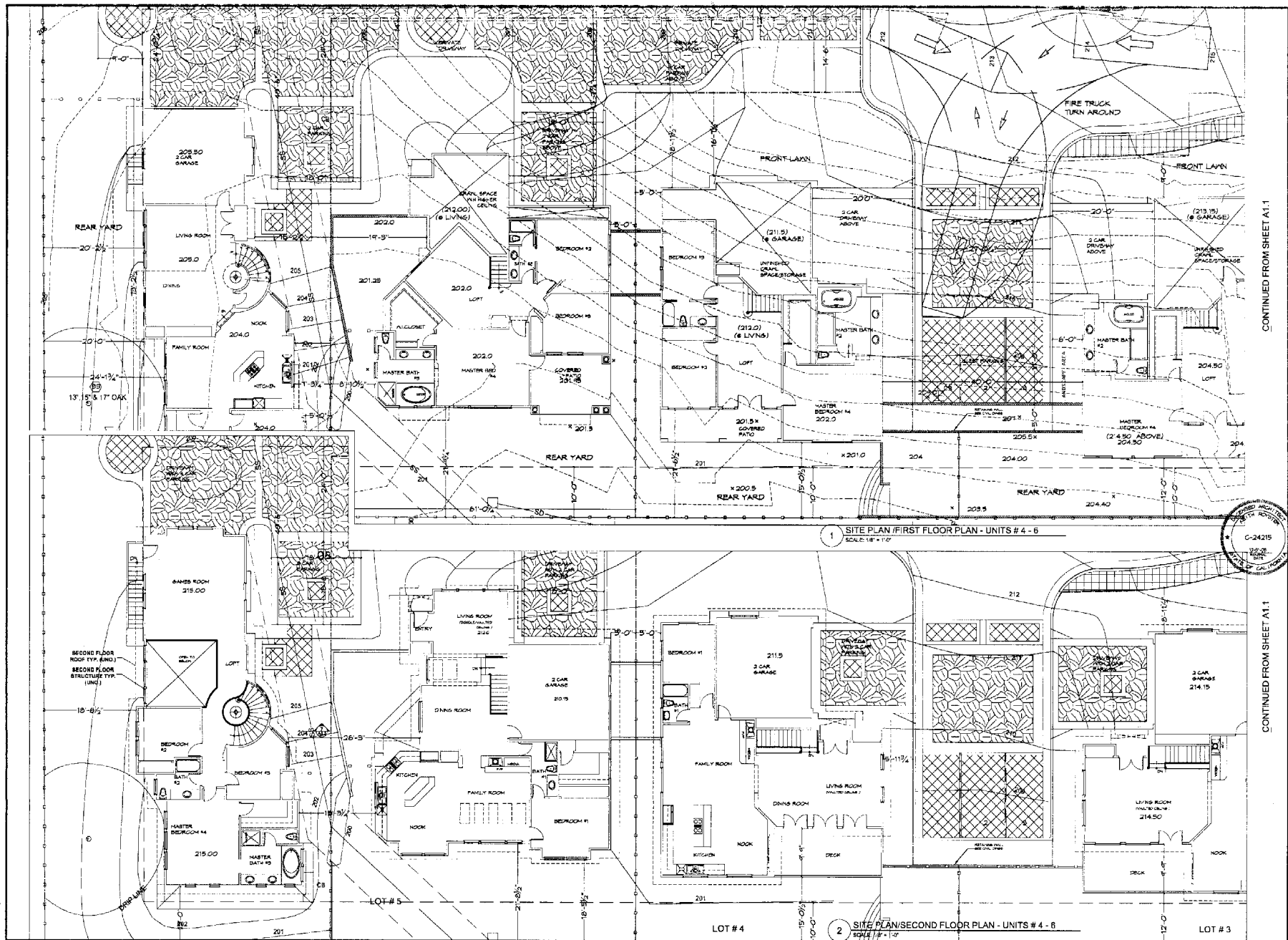
PLANNED UNIT DEVELOPMENT FOR 6  
SINGLE FAMILY LOT SUBDIVISION  
2448 KELLY ST., HAYWARD  
CALIFORNIA 94541  
APN: 417-040-028

SHEET INFO:

NO.	REVISION	DATE
1		
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SITE/FLR. PLAN UNIT#1-3  
PROJECT NUMBER: RAG-HAY-244  
ISSUED: 05-11-2005  
DESIGN BY: JENNIFER MANKAR  
DESIGN SUPERVISOR: J. MANKAR  
FILENAME: RAG-HAY-244-SIT-DWG

SHEET NO.  
**A1.1**  
OF 23 SHEETS



CONTINUED FROM SHEET A1.1

CONTINUED FROM SHEET A1.1

PLANNED UNIT DEVELOPMENT FOR 6  
SINGLE FAMILY LOT SUBDIVISION  
2448 KELLY ST. HAYWARD  
CALIFORNIA 94541  
APN: 417-040-028

CONSULTANT INFO  
DESIGN CONSULTANT:  
J. J. JENSEN & ASSOCIATES, INC.  
1000 CALIFORNIA STREET, SUITE 100  
OAKLAND, CALIFORNIA 94612  
(415) 778-1000  
WWW.JJJA.COM

STRUCTURAL CONSULTANT:  
J. J. JENSEN & ASSOCIATES, INC.  
1000 CALIFORNIA STREET, SUITE 100  
OAKLAND, CALIFORNIA 94612  
(415) 778-1000  
WWW.JJJA.COM

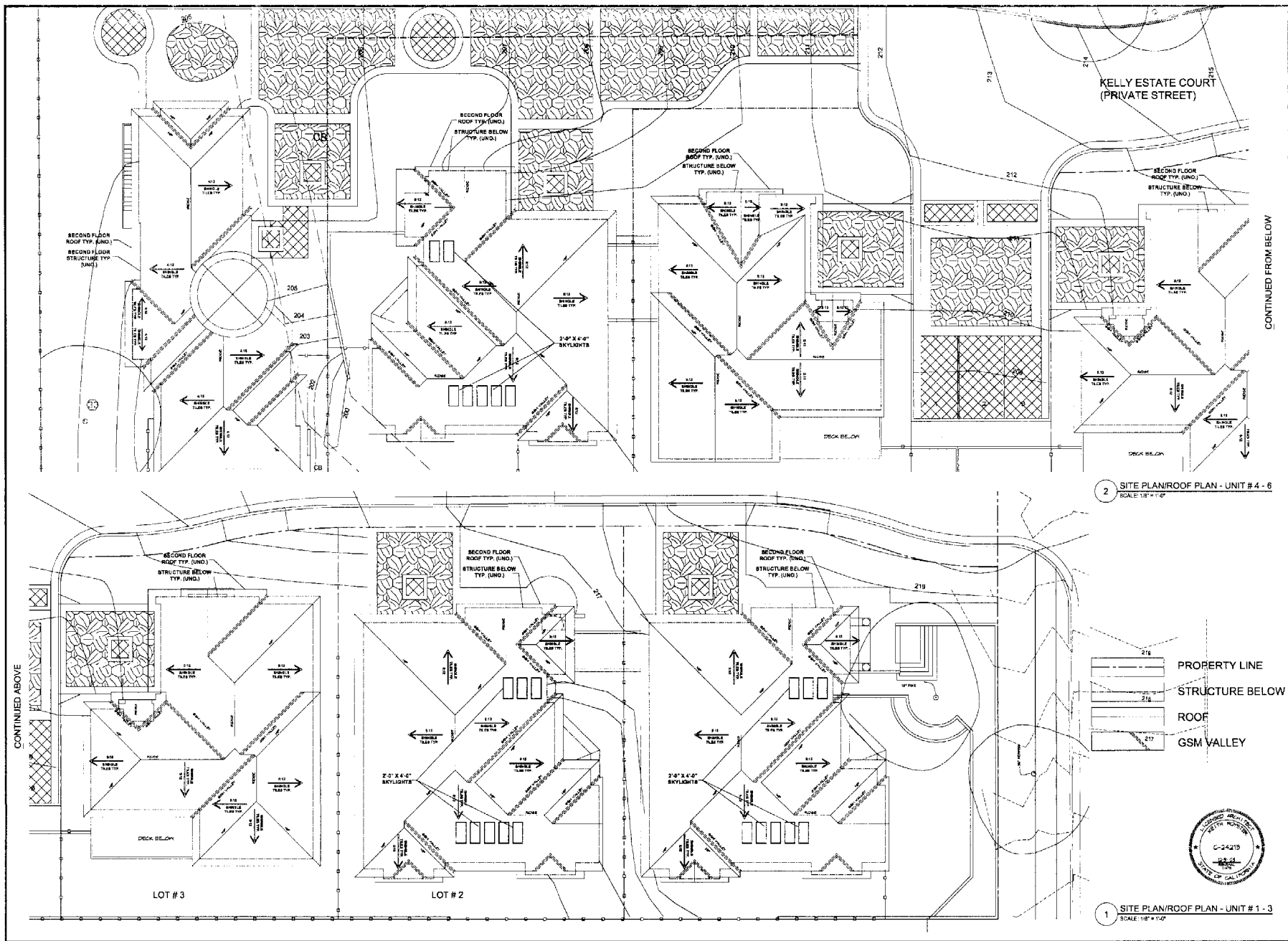
MECHANICAL CONSULTANT:  
J. J. JENSEN & ASSOCIATES, INC.  
1000 CALIFORNIA STREET, SUITE 100  
OAKLAND, CALIFORNIA 94612  
(415) 778-1000  
WWW.JJJA.COM

OWNER INFO:

SHEET INFO:

NO.	REVISION	DATE
1	1	07/19/2005
2	2	07/19/2005
3	3	07/19/2005
4	4	07/19/2005
5	5	07/19/2005
6	6	07/19/2005

SHEET NO.  
**A1.2**  
OF 23 SHEETS  
FILENAME: HAY-HAY-244-ST-DWG



CONSULTANT INFO:

DESIGN CONSULTANT:  
EDGE CONCEPTS INC.  
10000 WILSON AVENUE, SUITE 100  
DALLAS, TEXAS 75243  
PHONE: (214) 343-1111  
FAX: (214) 343-1112  
WWW.EDGECONCEPTS.COM  
GOTTCH CONSULTANT:

STRUCTURAL CONSULTANT:  
MICHAEL S. GENTRY (SHE SINGO)  
10000 WILSON AVENUE, SUITE 100  
DALLAS, TEXAS 75243  
PHONE: (214) 343-1111  
FAX: (214) 343-1112  
WWW.EDGECONCEPTS.COM  
GOTTCH CONSULTANT:

MECHANICAL CONSULTANT:  
FIRE SUPPLEMENT CONSULTANT:  
LANDSCAPE CONSULTANT:

OWNER INFO:

PLANNED UNIT DEVELOPMENT FOR 8  
SINGLE FAMILY LOT SUBDIVISION  
2448 KELLY ST, HAYWARD  
CALIFORNIA 94541  
APN: 417-040-028

SHEET INFO:

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SITE/ROOF PLAN  
PROJECT NUMBER: RAB-HAY-244  
ISSUED: 07/13/2015  
DESIGN: SUPERVISOR: MURRAY  
FILENAME: RAB-HAY-244-1.DWG

SHEET NO.  
**A1.3**  
OF 23 SHEETS

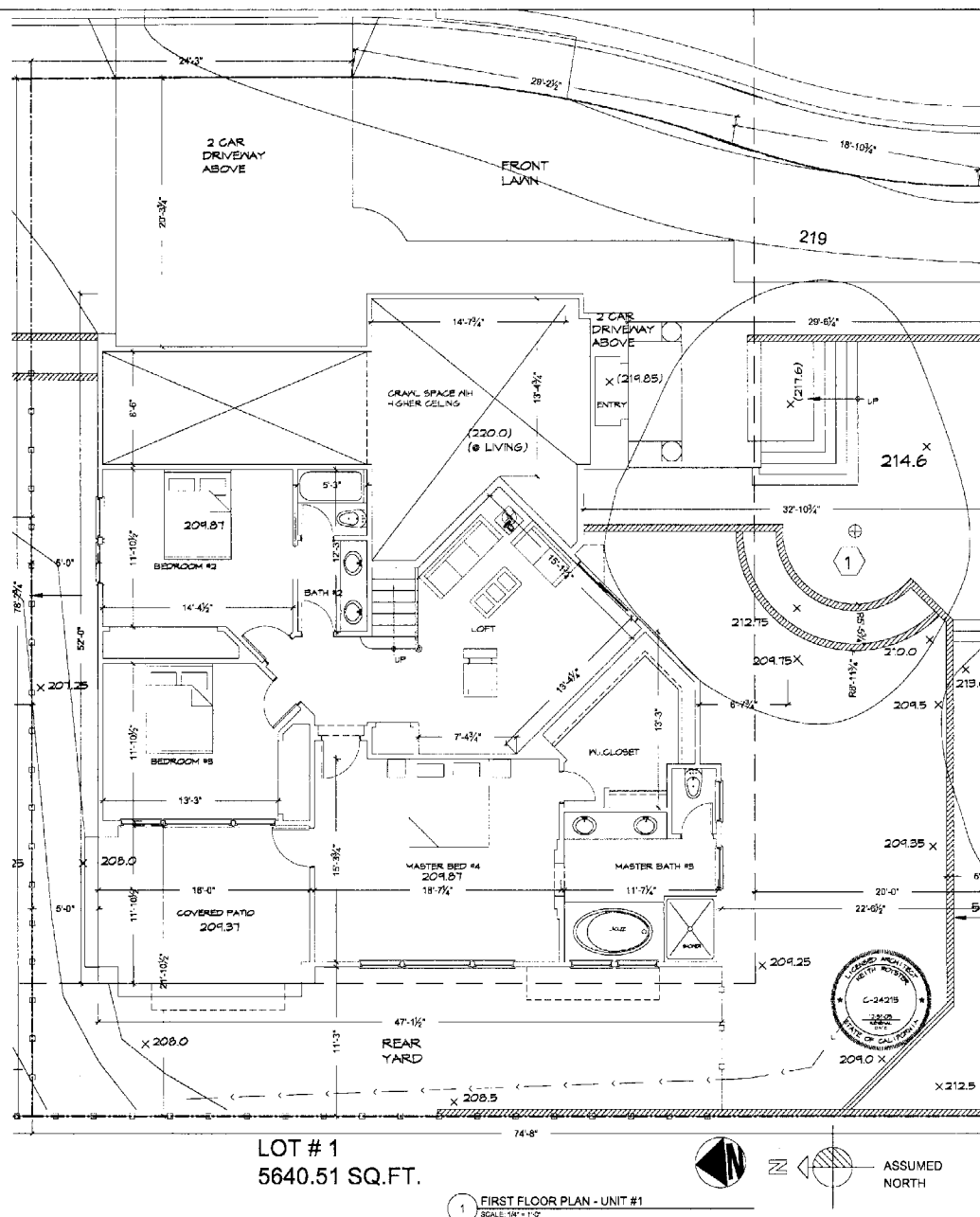
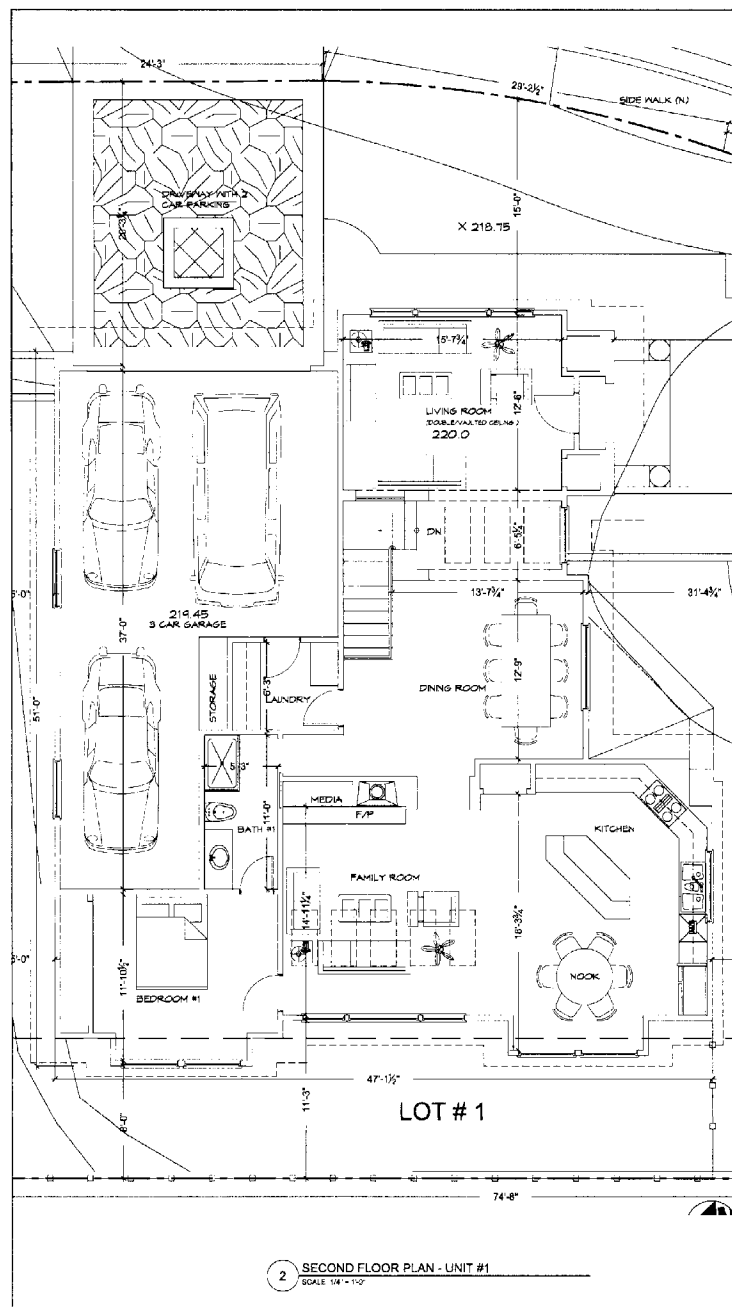
CONTINUED FROM BELOW

2 SITE PLAN/ROOF PLAN - UNIT #4-6  
SCALE: 1/8" = 1'-0"

1 SITE PLAN/ROOF PLAN - UNIT #1-3  
SCALE: 1/8" = 1'-0"

PROPERTY LINE  
STRUCTURE BELOW  
ROOF  
GSM VALLEY





CONSULTANT INFO:

DESIGN CONSULTANT:  
EDGE CONCEPTS INC.  
1000 CALIFORNIA AVE. SUITE 100  
SAN LEANDRO, CA 94577  
(925) 938-1000  
WWW.EDGECONCEPTS.COM

STRUCTURAL CONSULTANT:  
BENTLEY & ASSOCIATES  
1000 CALIFORNIA AVE. SUITE 100  
SAN LEANDRO, CA 94577  
(925) 938-1000  
WWW.BENTLEYANDASSOCIATES.COM

MECHANICAL CONSULTANT:  
FIRE SPRINKLER CONSULTANT:  
LANDSCAPE CONSULTANT:

OWNER INFO:

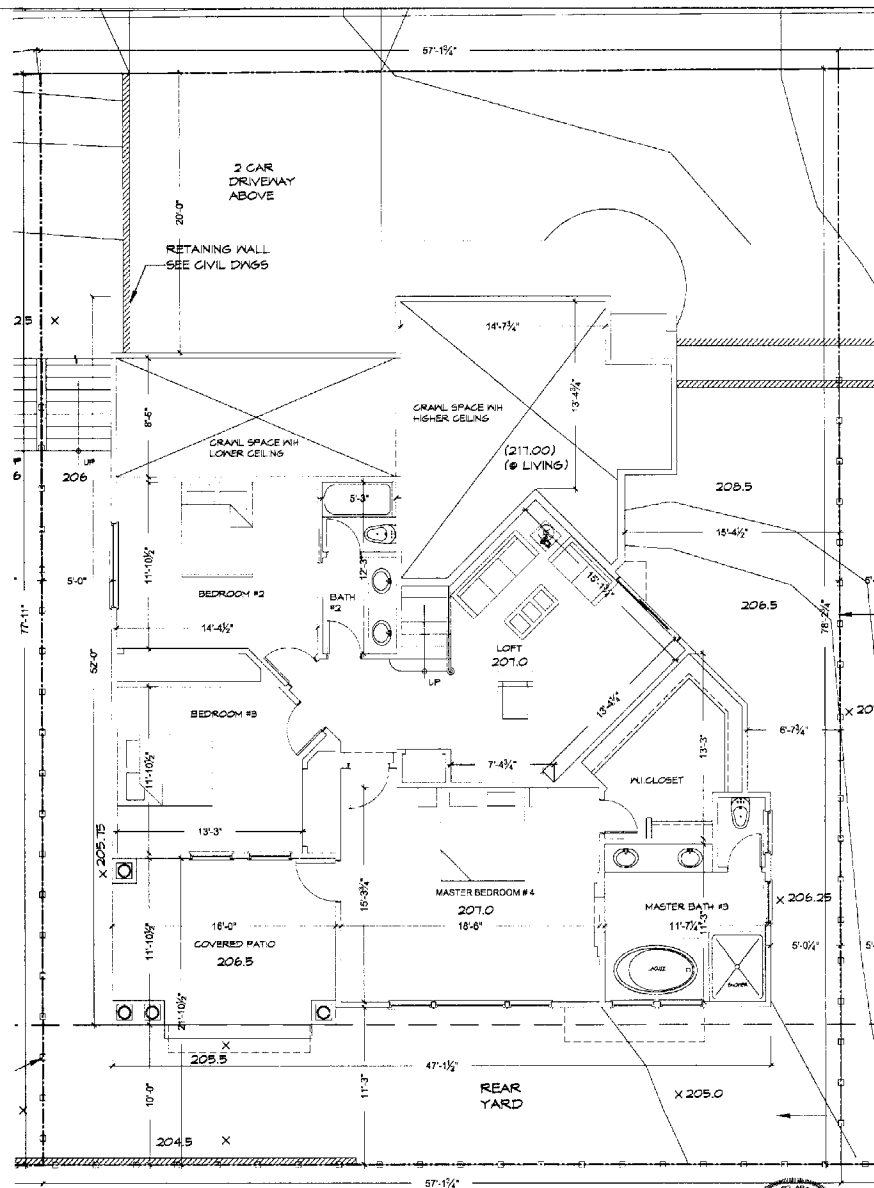
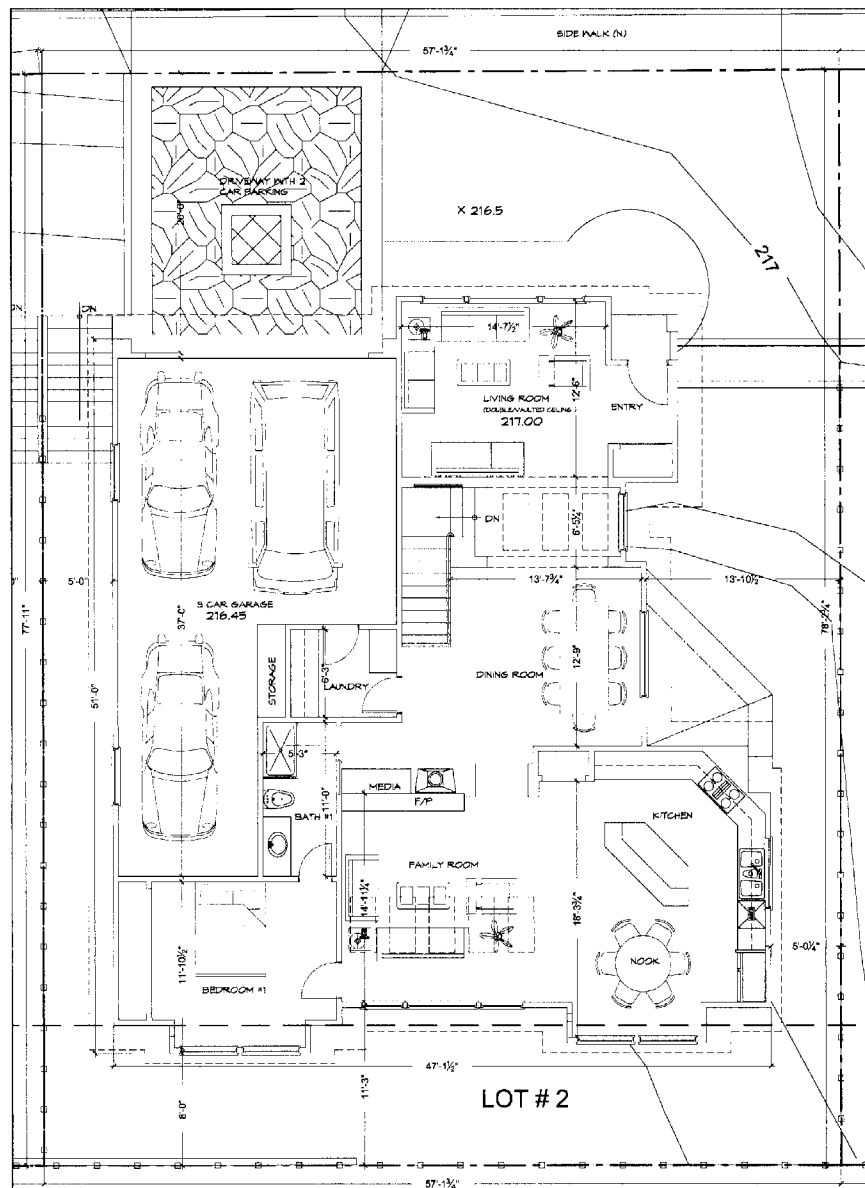
PLANNED UNIT DEVELOPMENT FOR 6  
SINGLE FAMILY LOT SUBDIVISION  
2448 KELLY ST. HAYWARD  
CALIFORNIA 94541  
APN: 417-040-028

SHEET INFO:

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FLOOR PLANS: UNIT #1  
PROJECT NUMBER: RAB-HAY-244  
ISSUED: 07.19.2005  
DESIGN BY: JENNIFER MACKAY  
DESIGN SUPERVISOR: J. MACKAY  
FILENAME: RAB-HAY-244-S1.DWG

SHEET NO. A2.0  
OF 23 SHEETS



CONSULTANT INFO:

**DESIGN CONSULTANT:**  
**EDGE CONCEPTS INC.**  
3007 S. COTTON BLVD. SUITE 125  
NEWARK, CA 94560  
(510) 363-1100 (H) (916) 353-0200 (FAX)  
PROJECT CONTACT - ATTACHE MANOUE  
(510) 366-2146 (CELL.)

**GEOTECH CONSULTANT:**

**STRUCTURAL CONSULTANT:**  
MONAHEIM S. GENDY (G-H ENG'G)  
3075 CEDAR BLVD. SUITE 106, METWALK  
10160 AVE-0000 (718) 535-1000 (FAX)  
LAND SURVEYORS:  
HAROLD B. DAVIS L.S. 3332  
SAN LEANDRO, CA  
**ENERGY CONSULTANT:**

MECHANICAL CONSULTANT:	
FIRE SPRINKLER CONSULTANT:	
LANDSCAPE CONSULTANT:	

OWNER INFO:

PLANNED UNIT DEVELOPMENT FOR 6  
SINGLE FAMILY LOT SUBDIVISION  
2448 KELLY ST, HAYWARD  
CALIFORNIA 94541  
APN: 417-040-028

**SHEET INFO:**

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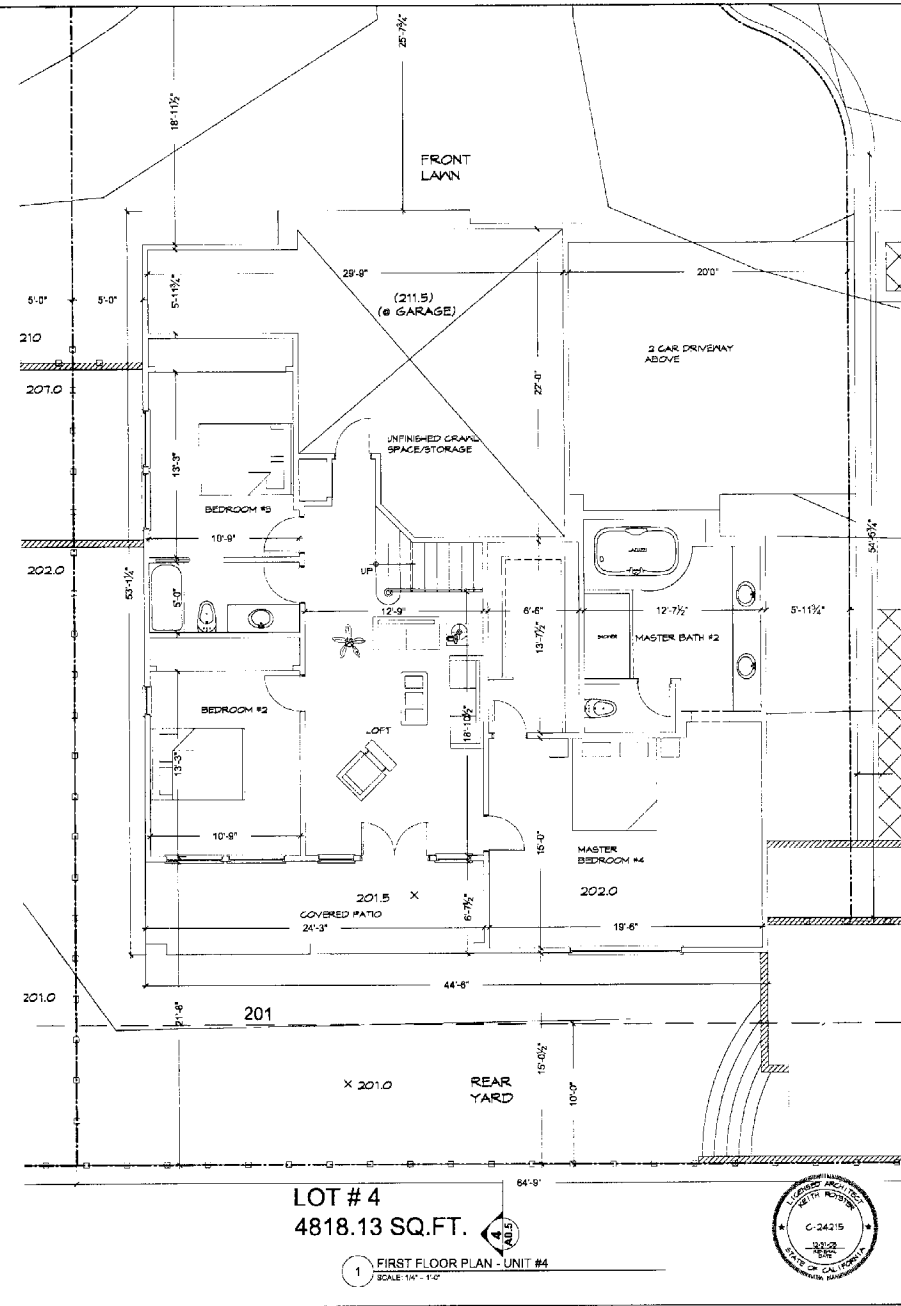
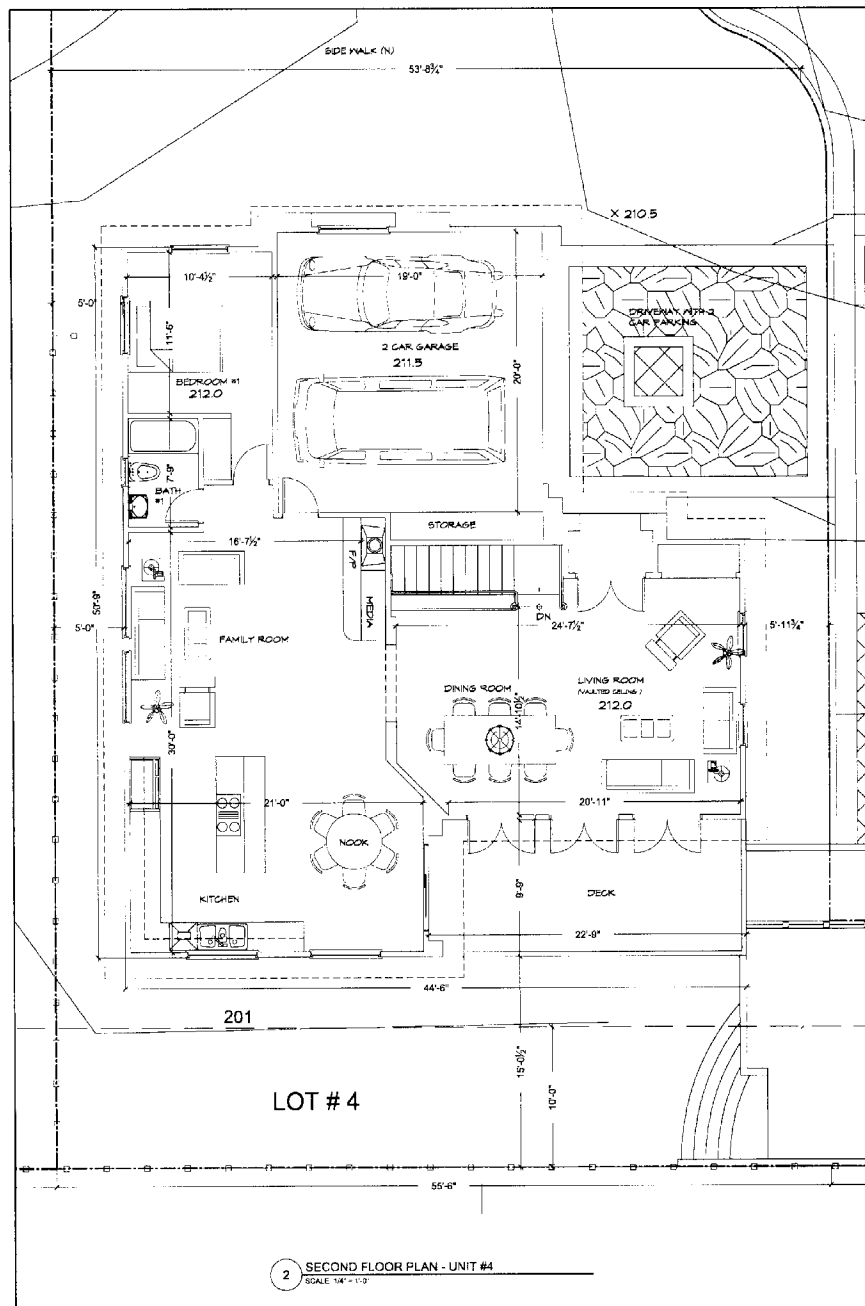
**FLOOR PLANS: UNIT #2**

PROJECT NUMBER:	RAB-HAY 244
ISSUED:	07.19.2006
DESIGN BY:	JITENDER MAKKAR
DESIGN SUPERVISION:	J. MAKKAR

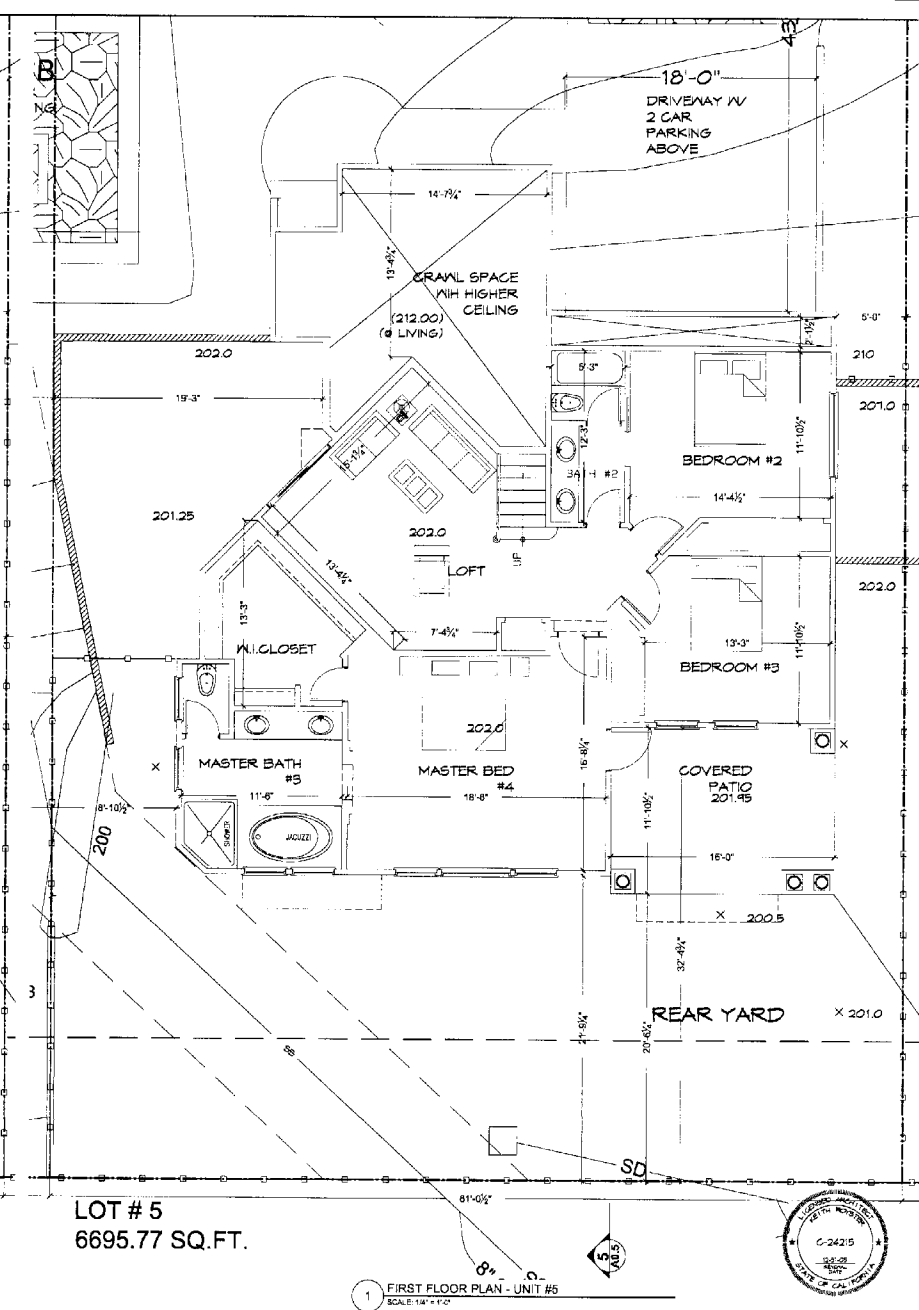
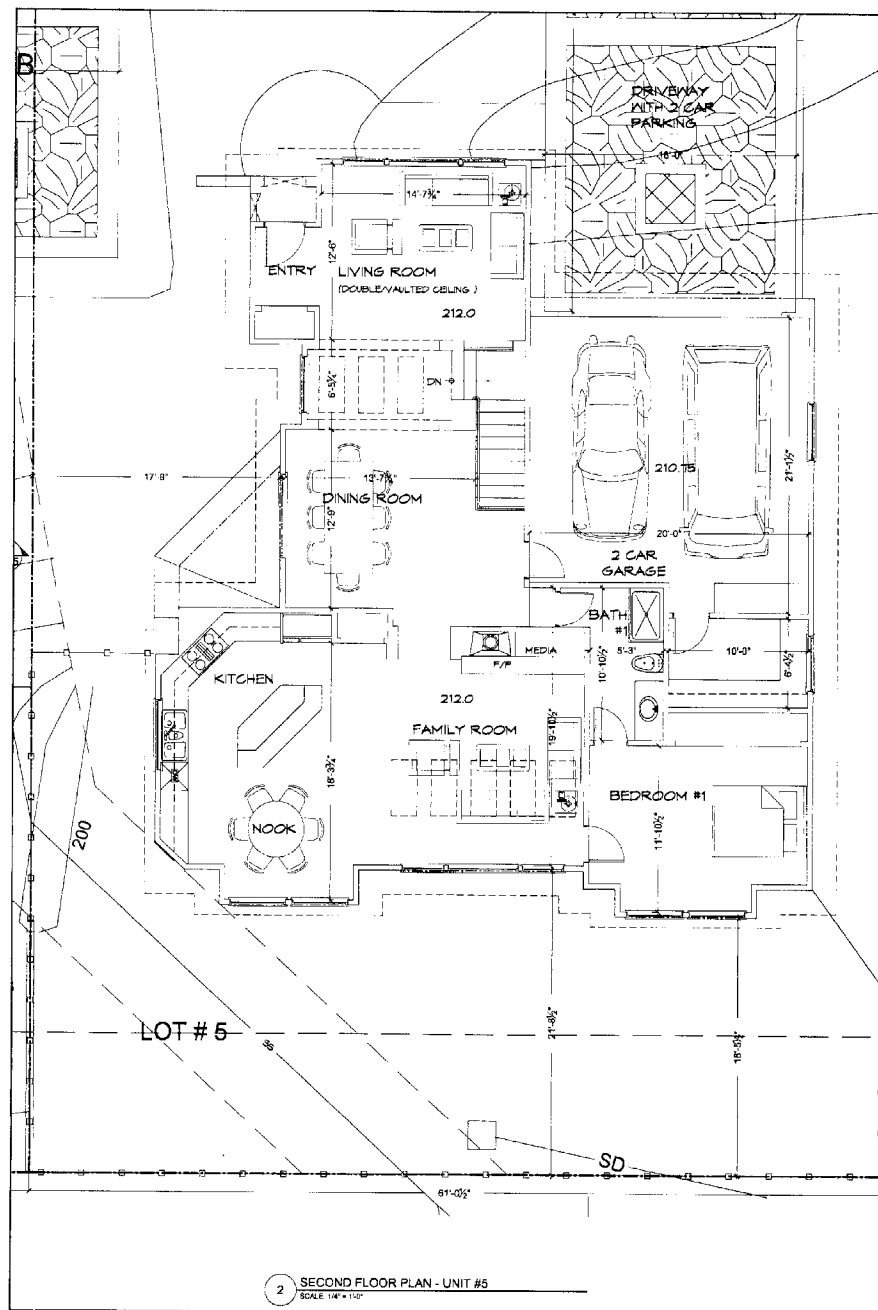
**SHEET NO.**  
**A2.1**



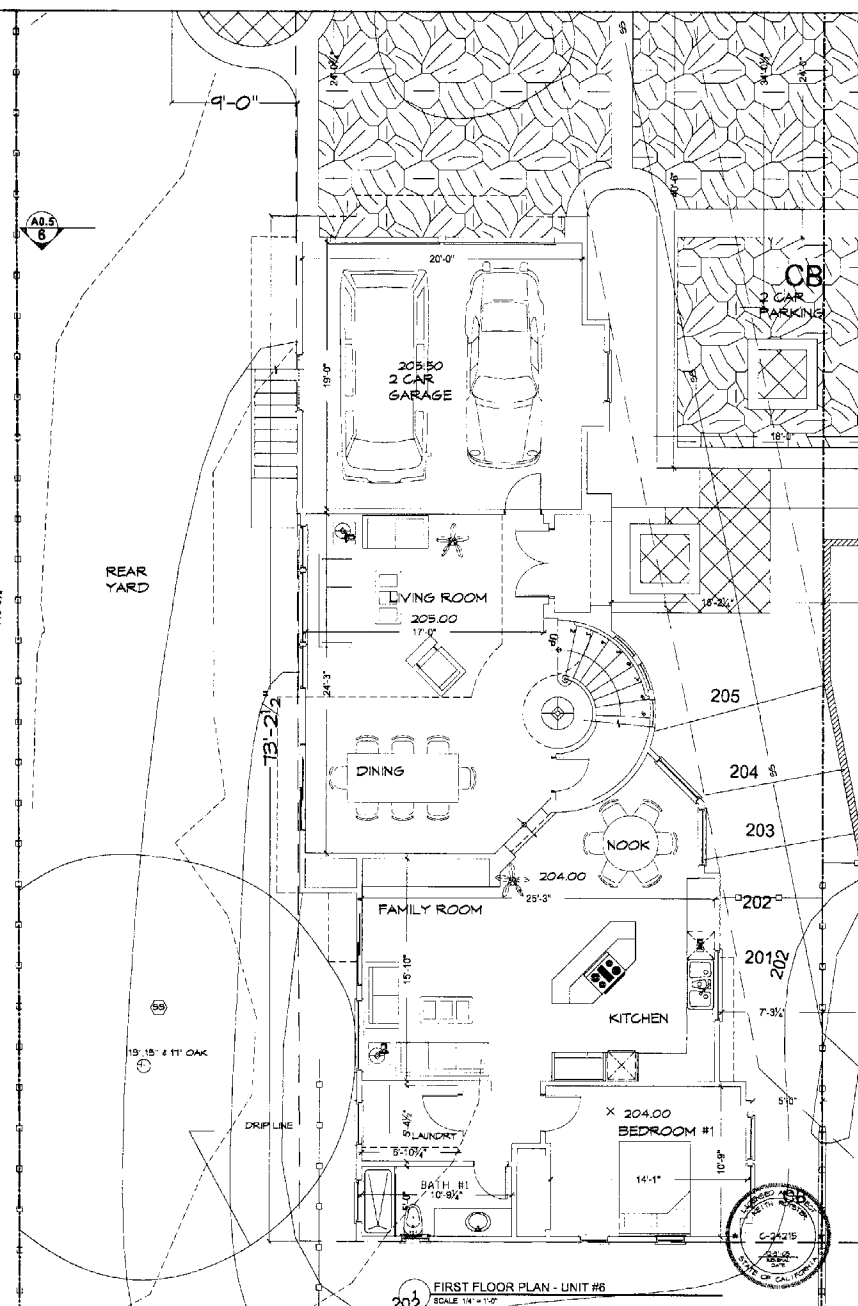
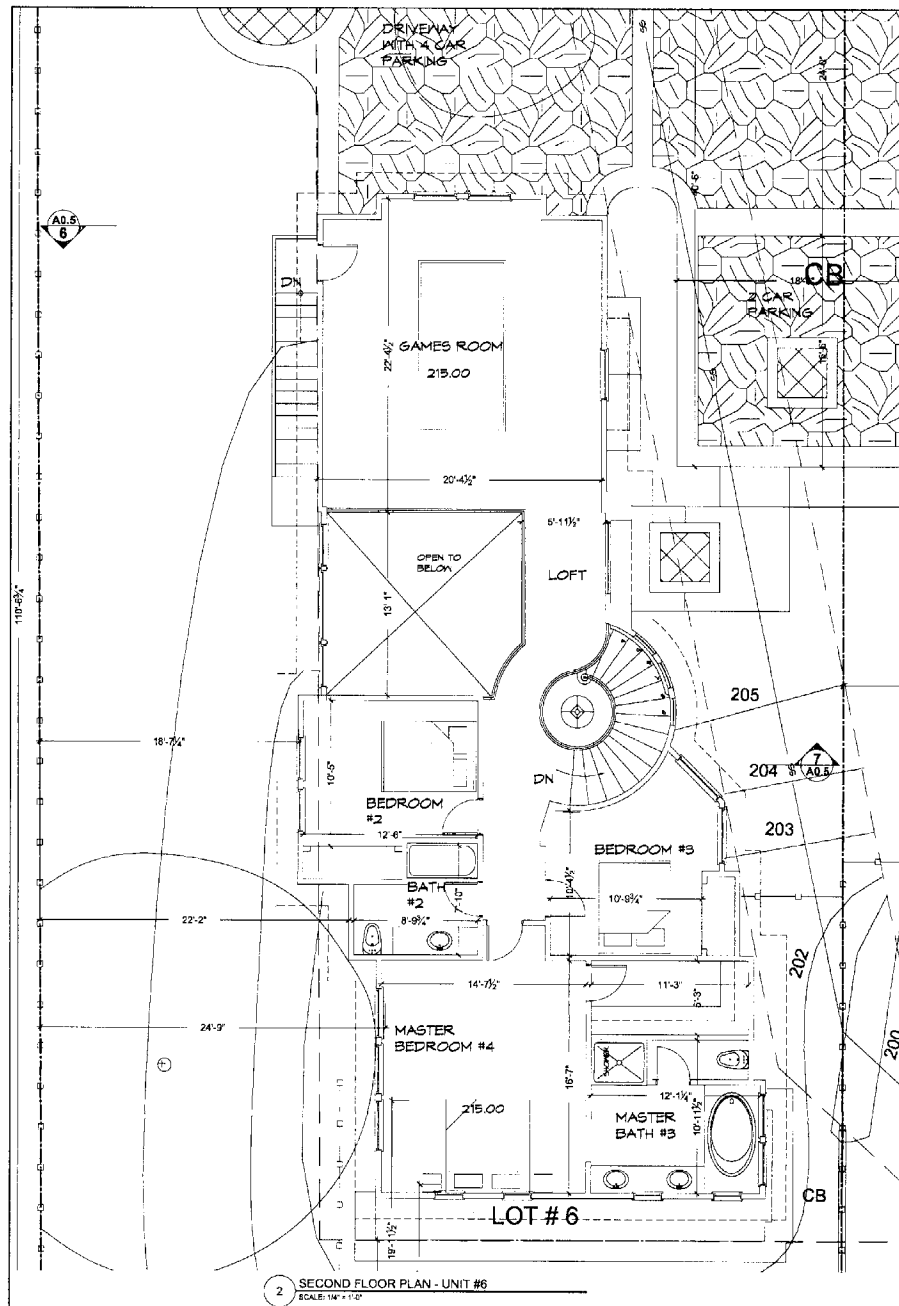




CONSULTANT INFO:	
DESIGN CONSULTANT:	EDGE CONCEPTS INC.
STRUCTURAL CONSULTANT:	EDWARDS & KELCEY INC.
MECHANICAL CONSULTANT:	EDWARDS & KELCEY INC.
ELECTRICAL CONSULTANT:	EDWARDS & KELCEY INC.
PLUMBING CONSULTANT:	EDWARDS & KELCEY INC.
LANDSCAPE CONSULTANT:	EDWARDS & KELCEY INC.
ENERGY CONSULTANT:	EDWARDS & KELCEY INC.
OWNER INFO:	
PLANNED UNIT DEVELOPMENT FOR 6 SINGLE FAMILY LOT SUBDIVISION 2448 KELLY ST. HAYWARD CALIFORNIA 94541 APN: 417-040-028	
SHEET INFO:	
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CONSULTANT INFO:	
DESIGN CONSULTANT:	DESIGN CONSULTANT:
STRUCTURAL CONSULTANT:	STRUCTURAL CONSULTANT:
MECHANICAL CONSULTANT:	MECHANICAL CONSULTANT:
FIRE ENGINEER CONSULTANT:	FIRE ENGINEER CONSULTANT:
LANDSCAPE CONSULTANT:	LANDSCAPE CONSULTANT:
OWNER INFO:	
PLANNED UNIT DEVELOPMENT FOR 8 SINGLE FAMILY LOT SUBDIVISION 2448 KELLY ST, HAYWARD CALIFORNIA 94541 APN: 417-040-028	
SHEET INFO:	
NO.	REVISION
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3	CONSTRUCTION
4	AS BUILT
5	FINAL
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CONSULTANT INFO:	
DESIGN CONSULTANT:	DESIGN CONSULTANT:
STRUCTURAL CONSULTANT:	STRUCTURAL CONSULTANT:
MECHANICAL CONSULTANT:	MECHANICAL CONSULTANT:
ELECTRICAL CONSULTANT:	ELECTRICAL CONSULTANT:
PLUMBING CONSULTANT:	PLUMBING CONSULTANT:
FIRE SPRINKLER CONSULTANT:	FIRE SPRINKLER CONSULTANT:
LANDSCAPE CONSULTANT:	LANDSCAPE CONSULTANT:
ENERGY CONSULTANT:	ENERGY CONSULTANT:
OWNER INFO:	
PLANNED UNIT DEVELOPMENT FOR 6 SINGLE FAMILY LOT SUBDIVISION 2448 KELLY ST, HAYWARD CALIFORNIA 94541 APN: 417-940-028	
SHEET INFO:	
NO. REVISION DATE	
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FLOOR PLANS: UNIT #6	
PROJECT NUMBER:	RAB-HAY-244
ISSUED BY:	07.19.2005
DESIGN BY:	JITTERIDER MAMAK
DESIGN SUPERVISOR:	J. MAMAK
FILENAME:	RAB-HAY-244-ST DWG
SHEET NO. A2.5	OF 23 SHEETS



## CONSULTANT INFO.

DESIGN CONSULTANT:  
EDGE CONCEPTS INC.  
10000 VAN COTT  
FARM ROAD  
FARMINGTON, CT 06031  
TEL: 860-671-1111 FAX: 860-671-1112  
WWW.EDGECONCEPTS.COM

STRUCTURAL CONSULTANT:  
MORGAN & GORDY (SAM) BROS.  
10000 VAN COTT FARM ROAD  
FARMINGTON, CT 06031  
TEL: 860-671-1111 FAX: 860-671-1112  
WWW.EDGECONCEPTS.COM

MECHANICAL CONSULTANT:  
KYLE SPINALE CONSULTANT  
LANDSCAPE CONSULTANT:  
KYLE SPINALE CONSULTANT

## OWNER INFO.

PLANNED UNIT DEVELOPMENT FOR 6  
SINGLE FAMILY LOT SUBDIVISION  
2448 KELLY ST, HAYWARD  
CALIFORNIA 94541  
APN: 417-040-028

## SHEET INFO.

NO.	REVISION	DATE
1		
2		
3		
4		
5		

## ELEVATIONS: UNIT #2

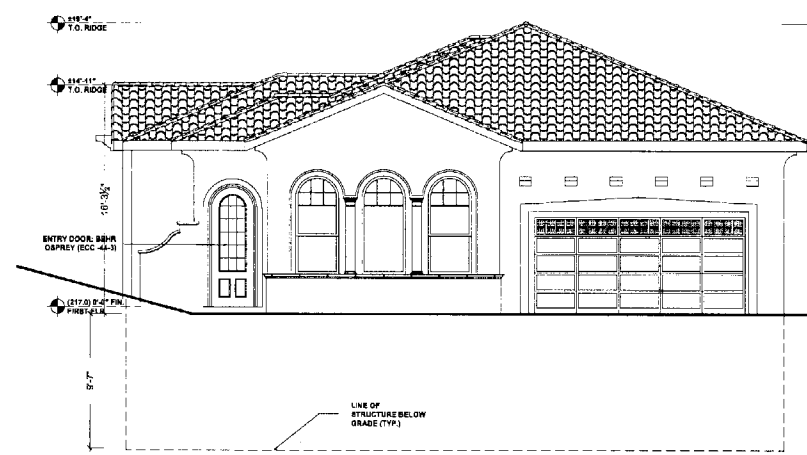
PROJECT NUMBER: 6482 HAY 244  
ISSUED: 12/05/14  
DESIGN BY: JITENDER MAKKAR  
DESIGN SUPERVISOR: J. MAKKAR  
FILENAME: RAB-HAY-244-S1.DWG

SHEET NO.  
**A3.1**

OF 23 SHEETS



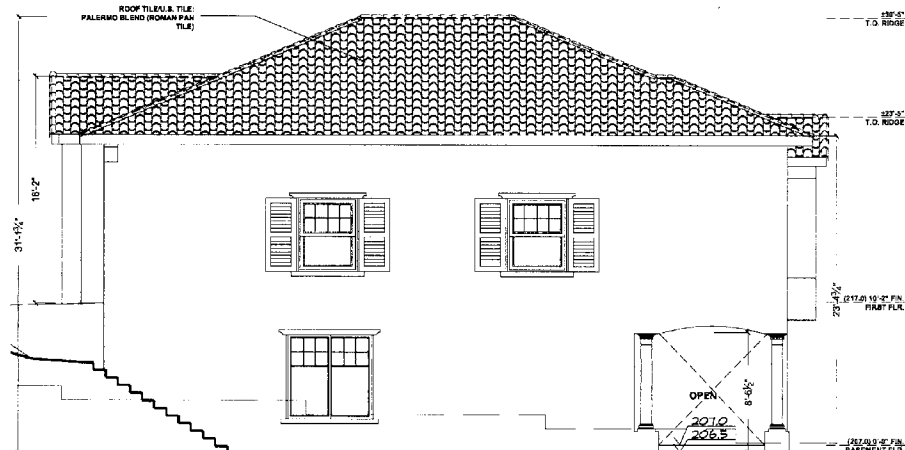
2 REAR ELEVATION - UNIT #2  
SCALE: 1/4" = 1'-0"



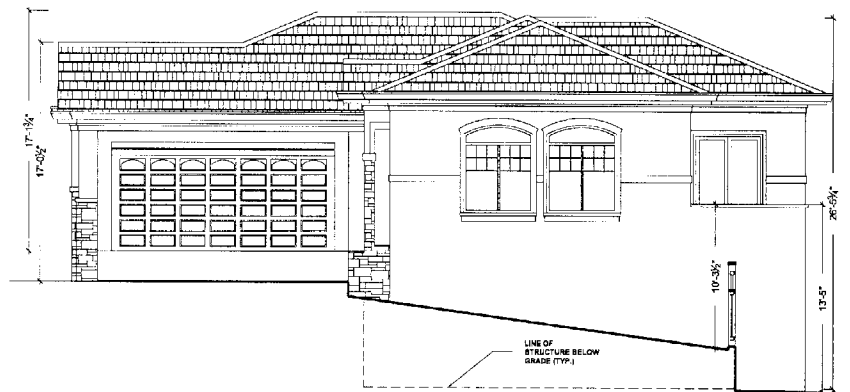
1 FRONT ELEVATION (KELLY STREET COURT) - UNIT #2  
SCALE: 1/4" = 1'-0"



4 SIDE ELEVATION (SOUTH) - UNIT #2  
SCALE: 1/4" = 1'-0"



3 SIDE ELEVATION (NORTH) - UNIT #2  
SCALE: 1/4" = 1'-0"



2 SIDE ELEVATION (NORTH) - UNIT #3  
SCALE: 1/4" = 1'-0"



1 FRONT ELEVATION - UNIT #3  
SCALE: 1/4" = 1'-0"



UNIT #3

4 SIDE ELEVATION (SOUTH) - UNIT #4  
SCALE: 1/4" = 1'-0"



3 REAR ELEVATION - UNIT #3  
SCALE: 1/4" = 1'-0"



CONSULTANT INFO:

DESIGN CONSULTANT:  
**EDGE CONCEPTS INC.**  
10000 S. GATEWAY BLVD., SUITE 100  
DANA POINT, CA 92629  
TEL: 949.441.1111  
WWW.EDGECONCEPTS.COM  
PROJECT CONTACT: J. MARKER  
ARCHITECTURAL CONSULTANT:  
GRANTCH CONSULTANT

STRUCTURAL CONSULTANT:  
**STANLEY S. GIBNEY (S-G-M) INC.**  
10000 S. GATEWAY BLVD., SUITE 100  
DANA POINT, CA 92629  
TEL: 949.441.1111  
WWW.STANLEYGIBNEY.COM  
PROJECT CONTACT: J. MARKER  
STRUCTURAL CONSULTANT:  
EMERY CONSULTANT

MECHANICAL CONSULTANT:  
**PIRE SPRINKLER CONSULTANT:**  
10000 S. GATEWAY BLVD., SUITE 100  
DANA POINT, CA 92629  
TEL: 949.441.1111  
WWW.PIRESPRINKLER.COM  
PROJECT CONTACT: J. MARKER  
MECHANICAL CONSULTANT:  
LANDSCAPE CONSULTANT:

OWNER INFO:

PLANNED UNIT DEVELOPMENT FOR 6  
SINGLE FAMILY LOT SUBDIVISION  
248 KELLY ST. HAYWARD  
CALIFORNIA 94541  
APN: 417-440-028

SHEET INFO:

NO.	REVISION	DATE
1		
2		
3		
4		
5		

ELEVATIONS: UNIT #3  
PROJECT NUMBER: RAB-HAY-248  
DESIGNED BY: J. MARKER  
DESIGN BY: J. MARKER  
DESIGN SUPERVISOR: J. MARKER  
FILE NAME: RAB-HAY-248-SIT.DWG

SHEET NO.  
**A3.2**  
OF 23 SHEETS



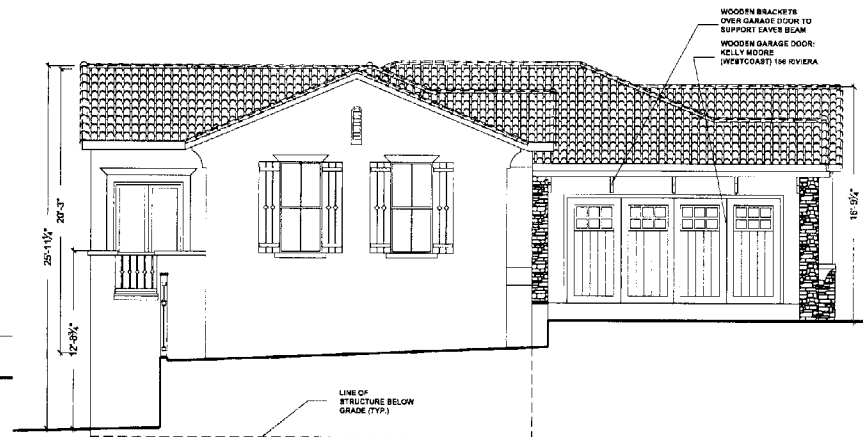
2 SIDE ELEVATION (NORTH) - UNIT #4  
SCALE: 1/4" = 1'-0"



1 FRONT ELEVATION - UNIT #4  
SCALE: 1/4" = 1'-0"



4 REAR ELEVATION - UNIT #4  
SCALE: 1/4" = 1'-0"



3 SIDE ELEVATION (SOUTH) - UNIT #4  
SCALE: 1/4" = 1'-0"



CONSULTANT INFO:

DESIGN CONSULTANT:  
EDGE CONCEPTS INC.  
10000 W. 10TH AVE., SUITE 100  
DENVER, CO 80231  
TEL: 303.733.1111  
WWW.EDGECONCEPTS.COM

STRUCTURAL CONSULTANT:  
MOHAMMED S. GEMAY (C-64846)  
10000 W. 10TH AVE., SUITE 100  
DENVER, CO 80231  
TEL: 303.733.1111  
WWW.EDGECONCEPTS.COM

MECHANICAL CONSULTANT:  
TRIST SPRINKLER CONSULTANT  
10000 W. 10TH AVE., SUITE 100  
DENVER, CO 80231  
TEL: 303.733.1111  
WWW.EDGECONCEPTS.COM

OWNER INFO:

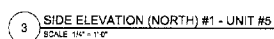
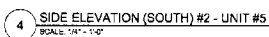
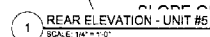
PLANNED UNIT DEVELOPMENT FOR 6  
SINGLE FAMILY LOT SUBDIVISION  
2448 KELLY ST., HAYWARD  
CALIFORNIA 94541  
APN: 417-040-028

SHEET INFO:

NO.	REVISION	DATE
1		
2		
3		
4		
5		

ELEVATIONS: UNIT #4  
PROJECT NUMBER: 2448 HAY 244  
ISSUED: 07.19.2005  
DESIGN BY: J. JENSEN, M.A.S.A.R.  
DESIGN SUPERVISOR: J. JENSEN, M.A.S.A.R.  
FILENAME: 2448 HAY 244-ST.DWG

SHEET NO.  
A3.3  
OF 23 SHEETS



**PLANNED UNIT DEVELOPMENT FOR 6  
SINGLE FAMILY LOT SUBDIVISION**  
**2448 KELLY ST. HAYWARD**  
**CALIFORNIA 94541**  
**APN: 417-040-028**

---

**OWNER INFO:**

---

**MECHANICAL CONSULTANT:**

**STRUCTURAL CONSULTANT:**  
MOHAMED S. GENRY CEMERCO  
2015 CALIFORNIA AVE. SUITE 100  
SAN JOSE, CA 95128  
LAND SURVEYOR:  
JAMES W. HARRIS  
10000 N. 1ST AVE. SUITE 100  
SAN JOSE, CA 95131

**DESIGN CONSULTANT:**  
**EDGE CONCEPTS INC.**  
10000 N. 1ST AVE. SUITE 100  
SAN JOSE, CA 95131  
TEL: 408-261-1000  
FAX: 408-261-1001

**ENERGY CONSULTANT:**

**LANDSCAPE CONSULTANT:**

**GEO/TECH CONSULTANT:**

---

**CONSULTANT INFO:**

SHEET INFO:	
NO.	REVISION DATE
01	
02	
03	
04	
05	

<b>ELEVATIONS: UNIT #5</b>	
PROJECT NUMBER:	RAB-HAY-244
ISSUED:	07.19.2005
DESIGN BY:	JITENDER MAKKAR
DESIGN SUPERVISION:	J. MAKKAR

SHEET NO. **A3.4**





CONSULTANT INFO:

DESIGN CONSULTANT:  
EDGE CONCEPTS INC.  
10000 WILLOW CREEK DRIVE  
DUBLIN, CA 94568  
TEL: 925.835.1000  
FAX: 925.835.1001  
PROJECT CONTACT: JEFFREY M. HANDEL  
(925) 835-1001

GEOTECH CONSULTANT:  
GEOLOGICAL CONSULTANT:  
MICHAEL S. GENTRY (G-M-ENG)  
1000 WILLOW CREEK DRIVE  
DUBLIN, CA 94568  
TEL: 925.835.1000  
FAX: 925.835.1001  
PROJECT CONTACT: JEFFREY M. HANDEL  
(925) 835-1001

STRUCTURAL CONSULTANT:  
MICHAEL S. GENTRY (G-M-ENG)  
1000 WILLOW CREEK DRIVE  
DUBLIN, CA 94568  
TEL: 925.835.1000  
FAX: 925.835.1001  
PROJECT CONTACT: JEFFREY M. HANDEL  
(925) 835-1001

MECHANICAL CONSULTANT:  
FIRE SPRINKLER CONSULTANT:  
LANDSCAPE CONSULTANT:

OWNER INFO:

OWNER INFO:

PLANNED UNIT DEVELOPMENT FOR 6  
SINGLE FAMILY LOT SUBDIVISION  
2448 KELLY ST, HAYWARD  
CALIFORNIA 94541  
APN: 417-048-028

SHEET INFO:

NO.	REVISION	DATE
1		
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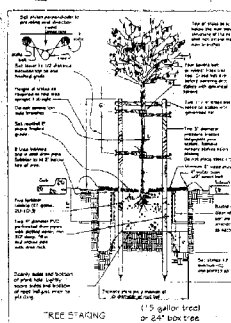
**ELEVATIONS: UNIT #6**

PROJECT NUMBER: RAB-HAY-244  
DATE: 05/28/2018  
DESIGNED BY: JEFFREY M. HANDEL  
DESIGN SUPERVISOR: J. M. HANDEL  
FILENAME: RAB-HAY-244-SIT.DWG

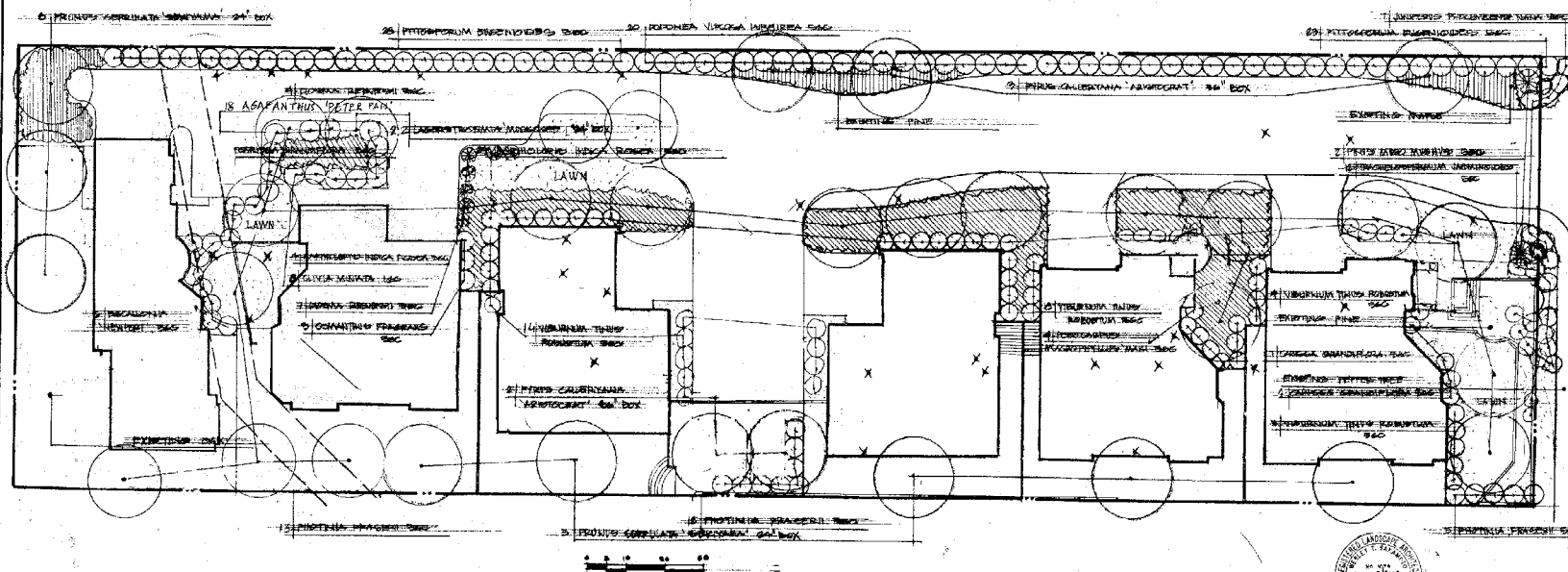
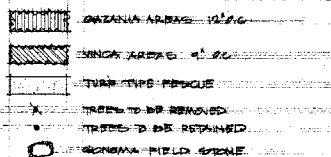
SHEET NO.  
**A3.5**  
OF 23 SHEETS

QUANTITY	POTENTIAL BOTANICAL AND COMMON NAME	SIZE
22	TREES: LARGESTRONGIA MUKOGOE - GRAPE VITIS	24" BOX
5	PRUNUS PERRULATA "KAKYAKU" - QUANDON CHERRY	24" BOX
5	PRUNUS CAJALEYANA "ARISTOCRAT" - ARISTOCRAT POWERED PEAR	24" BOX
13	SHRUBS: AMANTHIUS "PETER PAN" - DWARF LILY OF THE FIELD	18C
26	CAMPAN. GRANDIFLORA	56C
5	CINIA MUSAHA - KARE LILY	18C
1	DIODAEA FORTENSII - BREATH OF HEAVEN	56C
7	OSCALCULUS NIGER PORT	56C
1	AM. PERID. FRECHIERES NANA - DWARF JAPANESE GARDEN JUV. REL.	56C
5	SPHALANTHE. FRAGRANS "WISDOT DUKE	56C
30	THYMUS. FRAGRANS	24C
30	DEODORIS. VILLOSA "PUMPER" - PUMPER POP. SHRUB	56C
2	PHLOX. NIGEL. AUREA - NUGGET PINK	56C
1	POREPHYLLIS. NUCLOPHYLLUS "NAMI" - SHROUD YEN. FINE	56C
150	PITHECOPIUM. BURGUNDIA	56C
25	TRACHELOPS. INDOCA. TOPPER - PINK-INDO. BANTHORN	56C
12	TRACHELOPS. PANICHA. JAPANESE D. - DWARF JAPANESE	56C
31	YUQUILLOM. TUSSE. PARMOSTIC - BURGUNDIAN LAUREL	56C
50	GRASSY COVER: GRASSIA UNIFORM (WHITE)	PLANT
1	TRIOX. JUNCA. DWARF PARMUNIA	

~~TOP SECRET REPORT FOR SPECIFICATORS OF MAINTAINING  
FIGHTING TREE~~



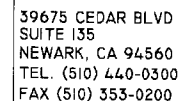
# LEGEND



WELLEY I. SAKAKI ARCHITECT  
 LANDSCAPE ARCHITECT No. 170  
 100 HAWTHORNE DRIVE  
 LOS ANGELES, CALIF. 90024  
 TEL. 363-1111

DIVISION P.U.D.  
KELLY STREET  
HAYWARD CALIF 94541

GALEY I SAUNDERS  
 LANDSCAPE ARCHITECTS  
 666 HARTWICK DRIVE  
 NEW YORK, N.Y. 10022  
 Tel. (212) 691-1100



1. The student is part of a club and is not in the usual class.

2. The student is not to be used for representation of the school. And/or the student is not to be used for representation of the school. And/or the student is not to be used for representation of the school. And/or the student is not to be used for representation of the school.

3. These items are given to the student. On the basis of the student, the student is not to be used for representation of the school. And/or the student is not to be used for representation of the school. And/or the student is not to be used for representation of the school.

4. Copyright © 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649

PROJECT  
KELLY ESTATE  
2448 KELLY ST.  
HAYWARD, CA 94541

TRACT 7608



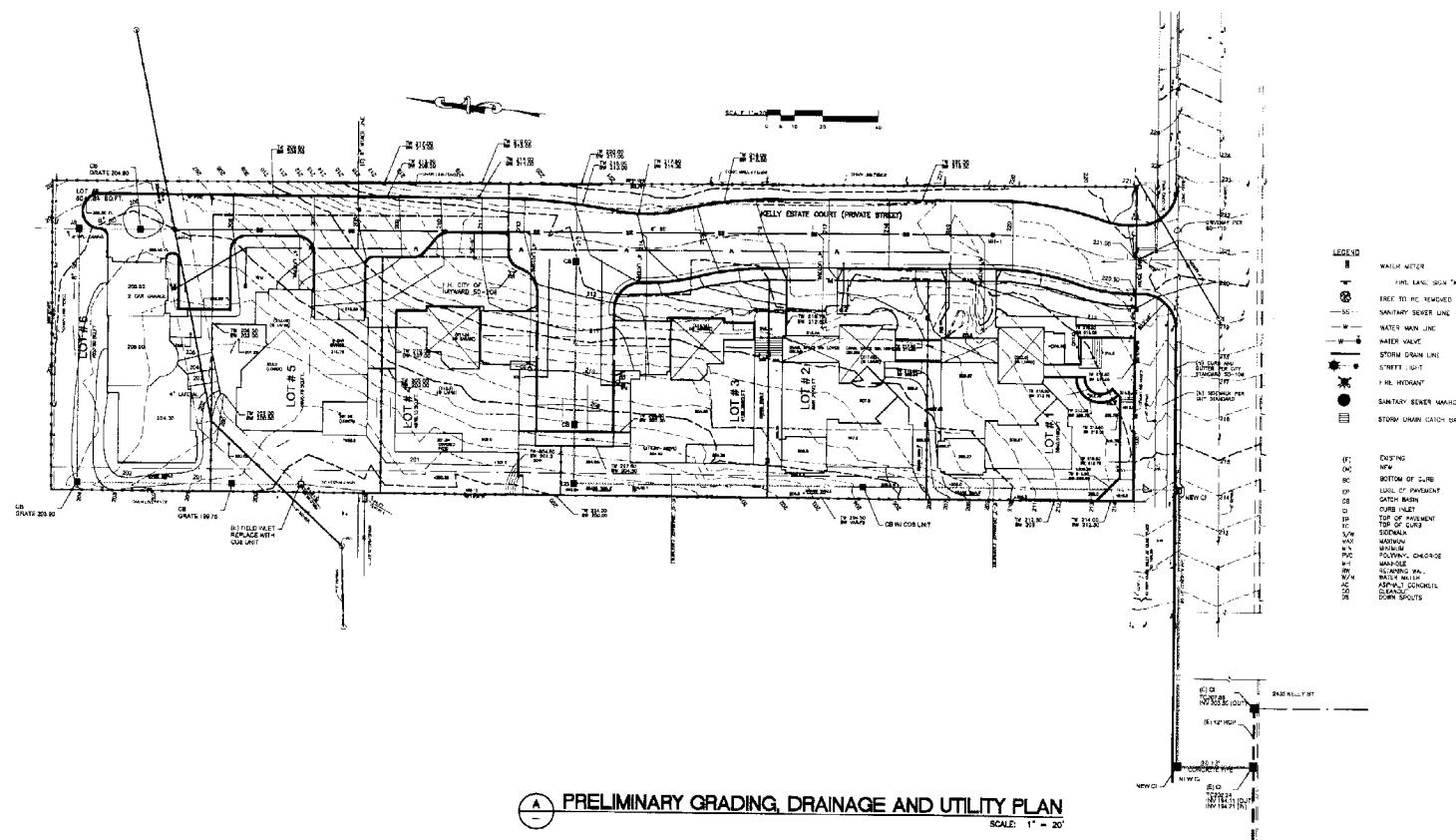
51-10-

GRADING,  
DRAINAGE AND  
UTILITY PLAN

Date 07-19-00  
Scale AS NOTED  
Project Number 04-330

Drawing Number C-1

SHEET 1 OF 2



## BENCH MARK

STATION IS BRASS PIN IN A STANDARD CITY OF HAYWARD MONUMENT 5 FT  
BELOW THE PAVEMENT IN A STANDARD CASTING ON THE MONUMENT LINE 30  
FEET SOUTHERLY MEASURED AT RIGHT ANGLES FROM THE CENTER LINE OF  
KELLEY STREET AND ON THE MONUMENT LINE 10 FEET EASTERLY MEASURED  
AT RIGHT ANGLES FROM THE CENTER LINE OF LORAND WAY, ELEVATION  
179.81

### GRADING PLAN NOTES

- ALL GRADING SHALL CONFORM TO THE CITY SPECIFICATIONS.
- EMBANKMENT CONSTRUCTION SHALL CONFORM TO SECTION 19-6 OF THE STATE OF CALIFORNIA STANDARD SPECIFICATIONS.
- THE MINIMUM FILL DENSITY COMPACTION WILL BE IN ACCORDANCE WITH ASTM D-1557-76.
- GRADE(S) SHALL NOT BE MORE THAN 0.1 FEET LOWER NOR 0.1 FEET HIGHER THAN THE ELEVATION INDICATED ON THIS PLAN.
- CONTRACTOR WILL BE RESPONSIBLE FOR ADEQUATE TEMPORARY DRAINAGE FACILITIES DURING ALL RAINY SEASON OPERATIONS AND SHALL MAINTAIN ADEQUATE DRAINAGE THROUGHOUT THE PROJECT. CONTRACTOR SHALL REMOVE AREAS OF EROSION PRIOR TO ACCEPTANCE OF THE FINAL GRADING WORK.
- THE CONTRACTOR AND/OR HIS SUBCONTRACTORS SHALL PREVENT ALL EROSION OF THE EXISTING AND PROPOSED EMBANKMENT. THE CONTRACTOR SHALL DO SO BY WATERING THE SITE AND SHALL MAINTAIN EQUIVALENT EROSION CONTROL MEASURES AT ALL TIMES DURING CONSTRUCTION AND UNTIL FINAL COMPLETION OF THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE DONE BY WATER FROM EROSION OF THE EXISTING AND PROPOSED EMBANKMENT UNDER THIS CONTRACT. THE PRICES FOR THE VARIOUS ITEMS LISTED ON THE PLAN INCLUDE PROVIDING ADEQUATE SOIL CONTROL, AS REQUIRED BY THE CITY.

THE CONTRACTOR SHALL ESTIMATE THE EARTHWORK QUANTITIES TO THEIR SATISFACTION PRIOR TO THE START OF CONSTRUCTION AND SHALL ARRANGE FOR DISPOSAL OF EXCESS MATERIAL OR ACQUISITION OF IMPORT MATERIAL AS REQUIRED TO COMPLETE THE GRADING AS SHOWN ON THE PLANS. NO ADDITIONAL COMPENSATION SHALL BE MADE FOR ANY EXPORT OR IMPORT REQUIRED.

- ALL EXISTING CESSPOOLS, FOUNDATIONS, BASEMENTS, TANKS OR OTHER UNDERGROUND STRUCTURES, IF NECESSARY, SHALL BE REMOVED BY THE CONTRACTOR AND THE RESULTING DEPRESSIONS SHALL BE BACKFILLED AND COMPACTED UNDER THE SUPERVISION BY THE SOILS ENGINEER.
- ANY EXISTING WELLS ON THE PROPERTY BEING DEVELOPED SHALL BE SEALED AND ABANDONED PER COUNTY HEALTH DEPARTMENT REQUIREMENTS.
- ANY DEVIATION FROM APPROVED PLANS DURING CONSTRUCTION WILL REQUIRE APPROVAL BY THE CITY ENGINEER.
- TOPSOIL SHALL BE STOCKPILED AT A LOCATION DIRECTED BY THE SOILS ENGINEER PRIOR TO COMPLETION OF GRADING. ALL STOCKPILE SHALL

- ALL FILL SLOPES SHALL BE 2:1 MAXIMUM AND CUT SLOPES TO BE 2:1 MAXIMUM, UNLESS NOTED OTHERWISE ON THE PLANS.
- GRADL BREAKS AT TOPS AND TIPS OF CUT AND FILL SLOPES SHALL BE REINFORCED TO PRESENT A SMOOTH NATURAL APPEARANCE.
- THE CONTRACTOR SHALL RESTORE SLOPES AND ON-SITE AND OFF-SITE ADJACENT TO THE SATISFACTION OF THE CITY.
- CONSTRUCTION WATER TO BE RECLAIMED WATER.
- IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO MATCH EXISTING SURROUNDING LAYERS AND FINISH APPROXIMATIONS WITH A SMOOTH TRANSITION IN PAVING, CURB AND GUTTER, CRODING ETC. WITHOUT ANY ADJUST OR APPARENT CHANGES IN GRADED OR CROSS SLOPES, UNLESS SPECIFICALLY NOTED ON THE PLANS.
- THE CONTRACTOR SHALL OBTAIN A TREE REMOVAL PERMIT FROM THE CITY OF HAYWARD PRIOR TO THE REMOVAL OF ANY TREES.
- THE CONTRACTOR SHALL SUBMIT A CONSTRUCTION BEST MANAGEMENT PRACTICE (BMP) PROGRAM FOR REVIEW AND APPROVAL BY THE CITY PRIOR TO BEING INSTALLED AND PRIOR TO THE START OF CONSTRUCTION.

THE CONTRACTOR SHALL SUBMIT A CONSTRUCTION BEST MANAGEMENT PRACTICE (BMP) PROGRAM FOR REVIEW AND APPROVAL BY THE CITY PRIOR TO THE ISSUANCE OF ANY BUILDING OR GRADING PERMITS.

39675 CEDAR BLVD  
SUITE 135  
NEWARK, CA 94560  
TEL. (510) 440-0300  
FAX (510) 353-0200

REVISION HISTORY		DATE
1	Initial Design	07-19-05
2	Final Design	07-19-05
3	Final Design	07-19-05
4	Final Design	07-19-05
5	Final Design	07-19-05

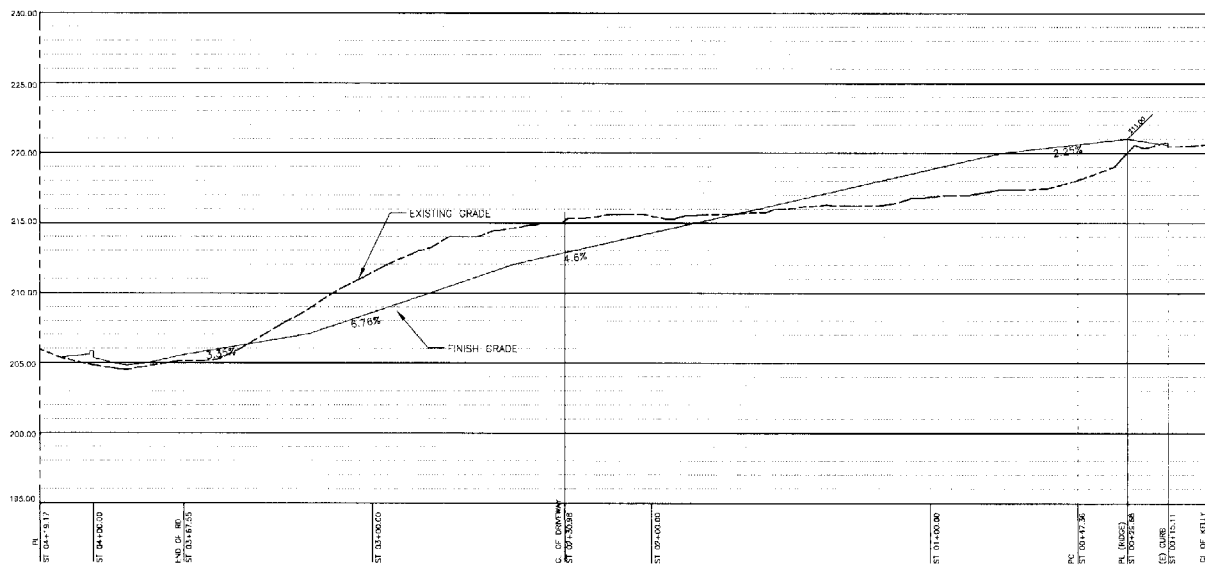
PROJECT  
KELLY ESTATE  
2448 KELLY ST.  
HAYWARD, CA 94541

TRACT 7608



ROAD PROFILE

Date: 07-19-05  
Drawing Number: C-2  
Scale: AS NOTED  
Project Number: 04-330  
SHEET 2 OF 2

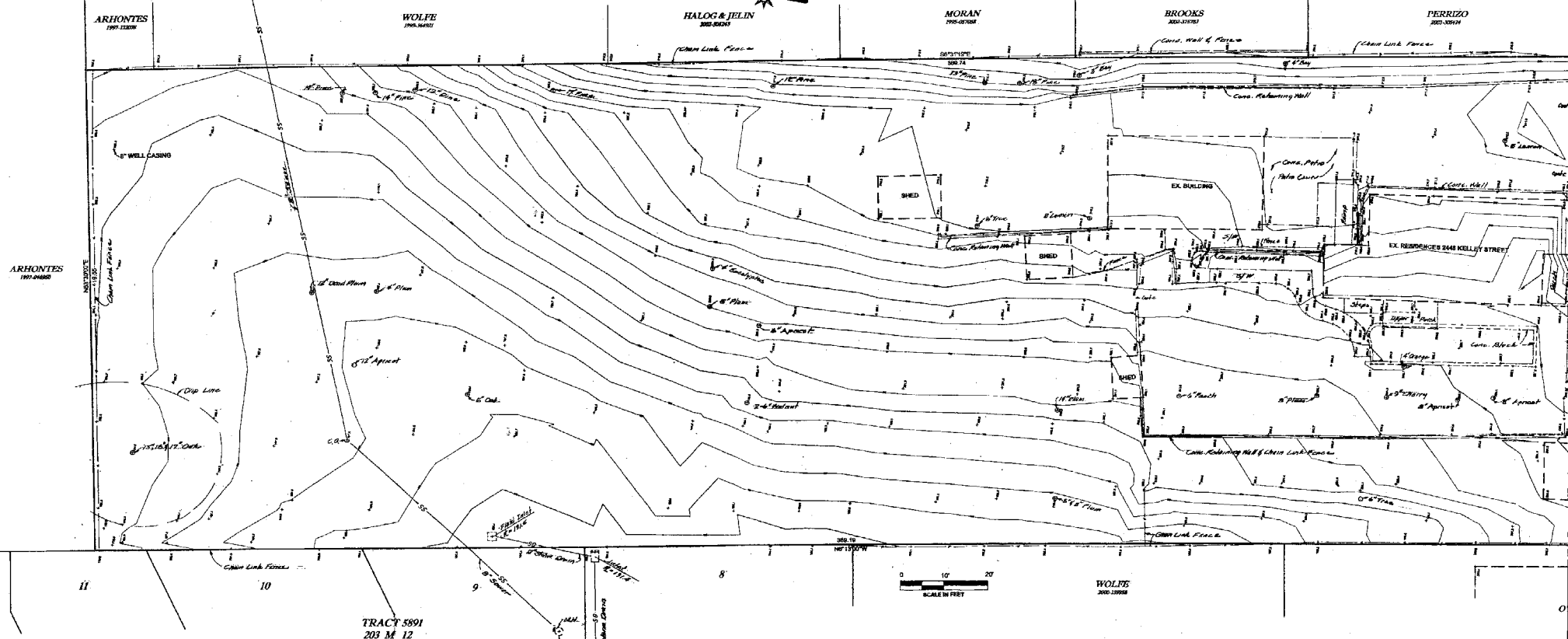


**PROFILE ALONG KELLY ESTATE CT**  
SCALE: H 1" = 20'

BAY VIEW AVENUE

# BENCH MARK

STATION IS A BRASS PIN IN A STANDARD CITY OF HAY  
Pavement IN A STANDARD CASTING ON THE BOMBARDIER  
MEASURED AT RIGHT ANGLES FROM THE CENTER LINE  
MONUMENT LINE, 10 FEET EASTERLY MEASURED AT A  
LINE OF LORAND WAY. ELEVATION = 179.81.



## ELEVATION BASE

All elevations noted hereon are five (5) feet below the National Geodetic Vertical Datum of 1929.

Prepared under the direction of

*Harold B. Davis*  
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## LEGEND

- PROPERTY BOUNDARY LINE.
- - - EXISTING CONTOUR (1' INTERVAL).
- FOUND STANDARD CITY MONUMENT.
- ✕ SET NAIL & TAG, L.S. 3362, ON TOP OF ROCK WALL.
- TREE, SIZE AND TYPE.

APN 417-040-028

# DRAFT

## HAYWARD CITY COUNCIL

RESOLUTION NO. 05-

Introduced by Council Member \_\_\_\_\_

*me*  
9/22/05

### RESOLUTION APPROVING THE INITIAL STUDY AND NEGATIVE DECLARATION AND CONDITIONALLY APPROVING ZONE CHANGE APPLICATION PL 2005-0062 AND TENTATIVE TRACT MAP 7608

WHEREAS, Zone Change Application PL 2005-0062 and Tentative Map 7608 concern a request by Kelly Estates LLC (Applicant/Owner) to change the zoning from Single-Family Residential (RS) District to Planned Development (PD) District and subdivide a .07 Acre parcel to Construct 6 homes on property located at 2448 Kelly Street; and

WHEREAS, an Initial Study and Negative Declaration have been prepared and processed in accordance with City and CEQA guidelines; and

WHEREAS, the Planning Commission held a public hearing on July 28, 2005, regarding the applications, in accordance with the procedures contained in the Hayward Zoning Ordinance, codified as Article 1, Chapter 10 of the Hayward Municipal Code, and recommended adoption of the Negative Declaration, the Zone Change application, the Precise Development Plan, and the Tentative Tract Map; and

WHEREAS, the City Council of the City of Hayward has independently reviewed and considered the information contained in the Initial Study upon which the Negative Declaration is based, certifies that the Negative Declaration has been completed in compliance with the requirements of the California Environmental Quality Act, and finds that the Negative Declaration reflects the independent judgment of the City of Hayward.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HAYWARD as follows:

#### ZONE CHANGE

1. Approval of Zone Change Application No. 2004-0062, as conditioned will not cause a significant impact on the environment as documented in the Initial Study. A Negative Declaration was prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines.
2. The development is in substantial harmony with the surrounding area and conforms to the General Plan and applicable City policies in that it is a single-family development within a single-family neighborhood and adjacent to

another small lot subdivision. The proposed density meets the General Plan goals and meets applicable City Policies by providing ownership housing.

3. The streets, utilities, existing and proposed, are adequate to serve the development.
4. The development creates a residential environment of sustained desirability in that the units are well designed and the parcels have over 1,000-square-feet of usable open land providing adequate recreation space.
5. Any latitude or exceptions to development regulations or policies is adequately offset or compensated for by providing functional facilities or amenities not otherwise required or exceeding other required development standard. The exceptions requested for a reduced lot size, and reduced setbacks is offset with enhanced architectural and site design, decorative paving on all paved surfaces other than the private street travel way, the preservation of most valuable trees on the site and creating more than the 1,000 square feet of usable open space.
6. Substantial proof exists that the proposed change will promote the public health, safety, and convenience, and general welfare of the residents of Hayward in that the Planned Development District will allow a project providing ownership housing which is supported by the Housing Element of the General Plan.
7. The proposed change is in conformance with the purposes of this Ordinance and all applicable, officially adopted policies and plans in that the zoning change is consistent with the General Plan designation.
8. All uses permitted when the property is reclassified will be compatible with present and potential future uses with the beneficial effect of creating ownership housing.

#### **TENTATIVE TRACT MAP 7608**

9. The approval of Tentative Map Tract 7608 as conditioned, will have no significant impact on the environment, cumulative or otherwise. A Negative Declaration was prepared per the guidelines of the California Environmental Quality Act (CEQA) for the development of this site.
10. The tentative tract map substantially conforms to the State Subdivision Map Act, the City's Subdivision Regulations, the General Plan, and the City of Hayward Zoning Ordinance.
11. The Site is physically suitable for the proposed type of development.
12. The design of the subdivision and the proposed improvements are not likely to

cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

13. The design of the subdivision and the proposed improvements are not likely to cause serious health problems.
14. Existing street and utilities are adequate to serve the project.
15. None of the findings set forth in Section 64474 of the Subdivision Map Act have been made.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF HAYWARD that, based on the findings noted above, that Zone Change Application 2005-0062, the accompanying Precise Development Plan, and Tentative Map Tract No. 7608 are hereby approved subject to adoption of the companion ordinance and the conditions of approval contained in Exhibit A attached hereto and incorporated herein as a part of this resolution.

IN COUNCIL, HAYWARD, CALIFORNIA September 27, 2005

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:  
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward



# DRAFT

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE ZONING DISTRICT  
MAP OF CHAPTER 10, ARTICLE 1 OF THE HAYWARD  
MUNICIPAL CODE BY REZONING CERTAIN TERRITORY  
LOCATED AT 2448 KELLY STREET PURSUANT TO ZONE  
CHANGE APPLICATION NO.2005-0062

*me*  
*9/22/05*

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS  
FOLLOWS:

Section 1. The Zoning District Map of Chapter 10, Article 1 of the Hayward  
Municipal Code is hereby amended by rezoning the property located at 2448 Kelly Street  
from Single-Family Residential (RS) to Planned Development (PD) District.

Section 2. In accordance with the provisions of section 620 of the City Charter, this  
ordinance shall become effective immediately upon adoption.

INTRODUCED at a regular meeting of the City Council of the City of  
Hayward, held the \_\_\_\_ day of \_\_\_\_, 2005, by Council Member \_\_\_\_\_.

ADOPTED at a regular meeting of the City Council of the City of Hayward  
held the \_\_\_\_ day of \_\_\_\_, 2005, by the following votes of members of said City Council.

AYES: COUNCIL MEMBERS:  
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

APPROVED: \_\_\_\_\_  
Mayor of the City of Hayward

DATE: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward